

HOUSE OF REPRESENTATIVES

WEDNESDAY, MAY 19, 1948

The House met at 10 o'clock a. m. The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O blessed spirit of God, whose presence gives joy and contentment to our daily lives, help us to face this day fearlessly and undismayed. We pray Thee to remove from us all languor and irritability and fill us with fervor and renewed energy.

In the actualities of life, grant us a faith born of vision, for, whether we walk the lonely ways of trial or tread the summit of joy, in Thee we have a leadership that never falleth. Lead us from dream to duty that we may know that Thou hast a purpose for us. O let us feel the uplifting, transfiguring strength of a personal God, sheltering and blessing us with His fatherhood. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

THE MARSHALL PLAN

Mr. CLEVINGER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio? There was no objection.

Mr. CLEVINGER. Mr. Speaker, it is with great pleasure that I call the attention of the House to a beautiful brochure which I recently received in the mail. It is entitled "The Marshall Plan in Action Course."

As a Member of this body, I have been trying for some time to get a comprehensive picture of the Marshall plan. We have had the Bevin report, the Krug report, the Nourse report, the Harriman report, and many other reports on this plan, most of them highly technical, some of them beyond my feeble powers of comprehension. None of them have I had time to wade completely through. Few, if any, are in clear, simple language. They all fail to state why we should tax our constituents more than \$17,000,000,000 in order to give the money to Socialist governments so these governments can bid up the prices of our own products.

As I say, I have looked far and wide for a clear, comprehensive report on why we should do this. The only information furnished have been wild guesses at best. Now, however, my prayers are answered. I can take advantage of this—I quote—"unique opportunity for study and travel during the summer of 1948." This course is being offered by a federally supported university in cooperation with the Department of State and the Governments of Belgium, France, Great Britain, and the Netherlands. It seems that these cooperating bodies, the State Department and foreign governments, are willing to indoctrinate our college students in what is their fair share of the American worker's pay envelope. In case you have any doubts, it says the instruction will be given "by a carefully selected faculty of American scholars, supplemented through lectures by professors, Gov-

ernment officials, trade-union officers, and businessmen," all of whom have invited themselves to sit at the dinner table of every American worker. Those who take this course—I quote—"will gain an appreciation of the importance of peace to the European recovery program." Nothing is said about the importance of take-home pay to the families of American taxpayers.

I suggest this course for those of you who would like to find out what this plan is all about. Perhaps, if a number of us take it, we will be better qualified to vote on this issue when it is presented to us again; that is, if our constituents give us another chance to use their hard-earned dollars to boost prices and support socialism under the tutelage of the State Department and European governments. They have been so successful with their peace plans we should certainly take their advice.

EXTENSION OF REMARKS

Mr. YOUNGBLOOD asked and was given permission to extend his remarks in the RECORD and include an address he delivered last Sunday.

Mr. McDOWELL asked and was given permission to extend his remarks in the RECORD and include an article appearing in the Independence, Kansas newspaper, by the Honorable HERBERT MEYER.

Mr. MACKINNON asked and was given permission to extend his remarks in the RECORD and include an excerpt appearing in the New York Times of yesterday giving the complete report of the Stassen-Dewey debate.

SOUR NOTE IN MARSHALL MUSIC

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RICH. Mr. Speaker, an article appearing in the New York Daily News of May 14 reads as follows:

A few days ago, the first ship carrying Marshall plan supplies to France arrived at the port of Bordeaux. She was the *John H. Quick*, with 8,800 tons of wheat. About the same time the steamship *Earlham Victory* reached Bordeaux as the nine hundredth vessel to bring help to France under the pre-Marshall plan interim-aid arrangements.

The episode touched off a demonstration of gratitude toward the Americans on the part of many Frenchmen, including Premier Robert Schuman himself, who broadcast word that United States aid had in large part saved the present French bread ration for the rest of 1948.

CARGOES TO FRANCE—BALLAST COMES BACK

But into the general jollification there crept one note of sadness; namely, that both the *Quick* and the *Earlham Victory* would have to make the return trip to the United States in ballast, and without merchandise cargo.

No French vermouth. No vintage wines. No perfumes. No what they used to call ladies' unmentionables.

The same thing, it is predicted, will happen to many other Marshall-plan ships in future. Underlying reason: France just is not as yet producing goods for export to any respectable degree.

French Communists have sabotaged the rebuilding of factories and have slowed pro-

duction in plants that are able to operate. French Socialists have encouraged people to slack off, with the assurance that the filthy-rich Americans have got to support western Europe anyway.

Shorter hours, bigger pay, and expensive worker-welfare schemes have been fashionable in France, as in England. Result: inflation in both countries, and export trade revival that has been slower than necessary.

Thus the Marshall-plan chickens begin coming home to roost with impressive promptness. We're starting already to find out what it means to us to underwrite the recovery of a bevy of nations whose political leaders have a stake in preventing such recovery. The lesson promises to cost us a pretty penny before it is finished.

Mr. Speaker, this goes further than the Communists in France destroying their plants by sabotage. We are keeping alive socializing Great Britain. They are buying the coal mines, the railroads, and gas plants, as well as all public utilities. Now they are taking over the restaurants in London; they have in the budget this year alone \$4,683,220 to buy restaurants. We furnish the money. Oh, ERP, ERP, ECP, ECP. How we waste the American taxpayers' money. How we break America down. Stop, stop ERP, ERP.

MARGINAL MINES

Mr. HARLESS of Arizona. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. HARLESS of Arizona. Mr. Speaker, my people in Arizona are very much interested in the Russell bill to authorize incentive payments to small and marginal mines. The incentives or bonuses which would be paid under the proposed act are to be handled by the RFC as they were from 1942 to 1947 when the prior authority expired.

I have heard some criticism of this provision of H. R. 2455, the Russell bill, on the grounds that we only voted a 2-year continuation of the RFC while the incentive-payment plan, designed to produce more metals and minerals for the national security, is continued for 4 years.

I wish to call to the attention of the Members that a compromise was reached between the House and the Senate whereby the RFC will be continued for 6 years with a lending power of a billion and a half dollars. Clearly, then, there will be no possible clash between the RFC Act and the proposed incentive payment act.

As a strong proponent of self-contained national security I want to see a healthy mineral industry built up in this country and maintained until, at least, our stock piles are filled and the threat of war is passed. "In time of peace prepare for war" is a motto while, when put into practice, is the strongest war deterrent. H. R. 2455 should, in my opinion, be passed without procrastination. It is later than we think.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. HARLESS of Arizona. I yield to the gentleman from Indiana.

Mr. HALLECK. The gentleman, of course, is familiar with the fact that in

the last Congress we passed a bill to deal with this problem. It was vetoed by the President. Can the gentleman give us any assurance what the President's action will be if such a bill is again passed?

Mr. HARLESS of Arizona. I am glad the majority leader brought that up, because I have reason to believe the Russell bill is of such a nature that if it is passed it would be signed by the President. I sincerely hope the majority leader will lend his efforts to seeing that this bill is brought to the floor.

Mr. HALLECK. Does the gentleman know whether any such representations have been made by anyone in the executive department in a position to know and to give us some assurance about it?

Mr. HARLESS of Arizona. I am not in a position to tell the gentleman exactly what the President would do, but I understand there has been some indication that a bill such as the Russell bill would be signed.

EXTENSION OF REMARKS

Mr. LYNCH asked and was given permission to extend his remarks in the RECORD and include a radio program in question and answer form in which he participated.

FEDERAL TRADE COMMISSION

Mr. WALTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include a speech made by one of the Federal Trade Commissioners.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WALTER. Mr. Speaker, I have taken this time in order to call to the attention of the Congress a speech delivered by the Honorable Lowell B. Mason, one of the Federal Trade Commissioners. Mr. Mason indicated in this address, delivered before the Marketing Club of the Graduate School of Business Administration of Harvard University, the intention of the Federal Trade Commission to proceed further than the court, in the basing point cases recently decided, has indicated it can proceed. I feel that this speech, if it states the policy of the Federal Trade Commission, indicates the need for legislation, and for prompt action on legislation, because if the Federal Trade Commission carries out what Commissioner Mason says it can do, then it seems to me we will suffer such a dislocation of our economy that whatever benefits may come from the recent decision of the Supreme Court will be offset a thousandfold.

REMARKS OF HON. LOWELL B. MASON, COMMISSIONER, FEDERAL TRADE COMMISSION, BEFORE THE MARKETING CLUB OF THE GRADUATE SCHOOL OF BUSINESS ADMINISTRATION, HARVARD UNIVERSITY, MAY 14, 1948

Mr. President, Professor McNair, and members of the Marketing Club, the recent decision of the Supreme Court in the Cement case has great significance to all students of marketing. My interest in the subject matter of this case goes back to the year 1933. As general counsel of the Darrow Board, I supervised the drafting of three reports of this Board to the President of the United States. The reports in general were a castigation of that famous experiment

in a controlled economy popularly known as the NRA. Two of these reports contained considerable material on the basing point system as applied to the steel and cement codes.

Later, in March and April of 1936, I served under Senator Wheeler, Chairman of the Senate Committee on Interstate Commerce. We amassed over 700 pages of testimony in hearings before this Committee of the United States Senate on S. 4055, "A bill to supplement existing antitrust acts, to protect the public against combinations in restraint of trade, to prevent unnecessary and wasteful cross-hauling of commodities, to restore and preserve purchasing power, and to aid in the prevention of the recurrence of economic stringency, and for other purposes."

It might be said that the Darrow Board reports and this investigation were the foster parents of what later developed into 13 years of litigation. The Cement case, as the Supreme Court pointed out in its opinion, has taken "three years for a trial examiner to hear the evidence which consists of about 49,000 pages of oral testimony and 50,000 pages of exhibits. Even the findings and conclusions of the Commission cover 176 pages. The briefs with accompanying appendices submitted by the parties contain more than 4,000 pages."

In short, the *Federal Trade Commission v. The Cement Institute*, Docket 3167, as reported in One Hundred and Fifty-seven Federal (2d), page 533, and recently terminated on April 26 of this year before the Supreme Court of the United States, embodies one of the most thoroughly tried issues ever presented in the history of American judicature.

Businessmen and many of their lawyers tell me it is impossible to say what are the legal effects of the decision. If this is so, then my house of cards is tumbled down upon my head. While I have often criticized the hit and miss methods of prosecution of the Federal Trade Commission as being a too lengthy and cumbersome method of enunciating the law, I have never believed that once the courts have spoken, businessmen, or at least their lawyers, would be unable to describe the legal effects of the decision.

As for myself, I have no personal doubts as to the meaning. When the highest court of the land speaks, for me that is the law.

I shall try to put in simple, candid, and frank terms what I see as the law of today in relation to many of the pricing customs in vogue. These comments avoid any reference to the Morton Salt decision, the latest of the Supreme Court orders, for that matter will probably be sent back to the Federal Trade Commission for further action, and I therefore will not comment on it.

It must be borne in mind that this is Lowell Mason, the person, talking, and not the utterance of any official view of the Federal Trade Commission. I call the turn as I see it, and my expressions are not of what I like or dislike. I give you what I consider the meaning of the cement and glucose decisions, and then allow myself the privilege of prognosticating the future, both from a legislative and economic viewpoint.

Lawyers are concerned with the dry bones of past precedent, but students of marketing must bear in mind that their analysis of future trends is one of the great contributions they can make toward the welfare of our economy.

1. I believe that the multiple basing point pricing system is out as a matter of law. Also, I believe it is out as a matter of plain economics. I think there are more businessmen in this country who would welcome a mill base at every point of production than there are businessmen who wish to maintain either the Pittsburgh plus or the multiple basing point system.

2. I believe that freight absorption is out. By that I mean that it will be a violation

of the merchant law for anyone to use a systematic pricing system which allows him to pay the freight out of his own pocket in order to sell in a competitor's territory. By this I don't mean that a salesman can't make an off-the-cuff bid in a specific case to meet a competitor's price, but a large producer selling thousands of items and employing thousands of salesmen is in no position to let his individual salesmen free lance on his own pricing structure. Therefore, I say freight absorption is out. This affects every basic industry in the United States.

Government will probably first attack the pricing system of those heavy commodities where the freight is a large percentage of the cost of the article to the purchaser, such as iron and steel, lime, rubber, glass containers, builders' supplies, farm equipment, ice, road machinery, paint and varnish, business furniture, liquefied gas, auto parts, ladders, paper and pulp, structural clay products, china and porcelain, reinforcing materials, vitrified clay, sewer pipe, antifriction bearings, wholesale food and grocery products, end-grain strip wood block, construction machinery, paper bags, lye, and wholesale coal.

3. I believe zone prices are out. Zone prices are necessarily part of a systematic pricing system and by their very nature must entail individual price discrimination which, when inaugurated through systematic pricing, create a discrimination which is banned by these decisions.

Zone prices affect about every industry selling on a Nation-wide distribution, from pins and needles on up. But the average businessman need not worry too much. I doubt if Congress will give us enough funds so that we can sue the Nation. The law of averages will keep most manufacturers of zone-priced commodities away from the business end of a Federal complaint.

4. I believe that an individual universal delivered price system is out.

With this statement of the law as I see it, let's consider seven things which may happen to either our policy or our economic system. I am, of course, assuming that the law as pronounced will be universally enforced.

I would not have my forecast challenged on the basis that administrative agencies will not force everyone to obey the bans against freight absorption, zone pricing and universal delivered prices. No man can urge the morality or justification of a law on the basis that it will not or cannot be universally applied.

1. In my opinion, Congress will never legalize any price-fixing system provided they know what they are doing. In other words, there will never be another quid pro quo between industry and labor such as the NRA leaving the consumer in the middle. The present anti-inflation law which gives industries the right to establish quotas, inventories, etc., under a system of personal waivers will never be effectively operated during peacetime.

2. Hereafter, anyone who wants will be able to take factory delivery on anything he wants to buy. This will, of course, be modified by the Clayton Act which says that the producer can always choose whom he will sell to. Thus producers may confine themselves to territories where they won't have to discriminate in price in order to get a share of the pie.

Mills will refuse to quote in many areas where they have heretofore been marketing. In a seller's market, the Cement decision will give a legitimate excuse for dropping small customers who have heretofore been serviced on a historic basis rather than on a profit basis. By this I mean that a customer who has heretofore been able to buy from a producer who absorbed the freight costs will now find the producer saying, "You pay the freight."

3. There will be a decentralization of users of basic products. Fabricators will gravitate to the points of production of their basic

materials. With each producer a basing point, the more basing points we have, the more fabricators there will be to surround each separate basing point. This decentralization will not come from the desire to be virtuous. It will come from the economic fact that freight rates today have shortened a profitable 60-mile freight absorption down to 15 miles. In other words, it's getting so it costs too much to climb over into the other man's pasture.

4. I predict that there will be an amendment to the Robinson-Patman act so that the variances in profit or mill net will not be the earmark of discrimination.

5. I predict that trade practice conference legislation will pass with even greater exemptions than those contained in the legislation I proposed before the American Bar Association in October of last year.

6. Unless there be changes in the present law, future court decisions will all turn to a further mechanization of the law. By that I mean it is a physical impossibility under our present laws for the courts to do anything but place more and more reliance on original agency decisions.

7. If the laws stand as they are now, I predict trade associations are out. At least, the present administrative trend will make life so uncomfortable for members of associations that the hazards of membership will hardly be worth any legitimate advantages.

Some of these predictions I interpret very cheerfully. Decentralization is not only a military but an economic necessity. But unless some of my other predictions come true, I can see nothing but a decadent economy controlled by an aggressive central government. The businessman who is prohibited by government from having any direct part in the development of commercial justice has little interest in the law except to avoid its clutches.

Speaking generally, and not with specific reference to the two decisions I have just discussed, we are unobtrusively assembling a compilation of central control. Its precedents are quietly established against minor activities of big companies and the major activities of minor companies. Thus we do not raise too much rumpus in our erosion of private responsibilities. But if all the inhibitions that we now have on the books were fairly and equally applied, the American businessman would cry out for the liberties of a Russian peasant.

PAY INCREASES FOR FEDERAL WORKERS

Mr. DAVIS of Georgia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. DAVIS of Georgia. Mr. Speaker, I call the attention of the House to the bills H. R. 5667 and H. R. 5472. These are bills to provide an increase in pay for postal and other Federal workers. There is no dispute that living costs have increased considerably within the last 2 years. These employees have no means of meeting these increases except through such salary adjustments as we make here. They are faithful, loyal, punctual, and efficient employees of the Government. This is not a case of pressure being exerted. These employees have obligated themselves not to strike against the Government. They are looking to Congress with patience and with confidence to provide the means for them to meet these increased living costs. The House Committee on Post Office and

Civil Service on April 21, nearly a month ago, reported these bills favorably. This session is rapidly coming to a close, and it is time for us to take action on these measures.

THE FACTS ON THE EXTENSION OF TITLE VI MORTGAGE INSURANCE

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include an article with accompanying statistics.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOLIFIELD. Mr. Speaker, real-estate and building interests are expressing complaints about the lapse of the FHA's authority to issue further mortgage insurance under title VI of the National Housing Act and about the effect of this lapse on future home-building activity. In view of the urgent need for housing throughout the country, I think it is important that the Members of the House and the people of this country understand the true facts of the present situation and also understand just where the responsibility lies for the present lapse.

On March 23, 1948, the House passed a bill, H. R. 5854, to extend title VI for one more year, until March 31, 1949, with an additional insurance authorization for \$2,000,000,000. This bill involved various amendments to the previous title VI formula which were designed to restrict the inflationary effects of this liberal program of aid to the private housing industry, to place greater emphasis on the construction of rental housing, and to offer broader assistance to the prefabrication of housing and to large-scale site producers of lower-cost housing. These amendments, it should be pointed out, were in accord with proposals contained in President Truman's special housing message to the Congress on February 23. But it should also be emphasized that this title VI proposal was only one fragment—and a small fragment at that—of the President's legislative recommendations to set in motion a complete housing program.

In the meantime, in the other body, the Banking and Currency Committee was just about to consider the so-called Flanders amendments to the Taft-Ellender-Wagner bill. These amendments were designed to bring that bill into line with the recommendations of the Joint Committee on Housing, which had been set up last July at the instance of the Republican leadership of both Chambers for the express purpose of again investigating the housing situation and of recommending necessary legislation. In advance of considering all the recommendations of the joint committee, the other body was unwilling to enact one fragment of those recommendations in the form of a 1-year extension of title VI. As an alternative, it proposed a stop-gap 60-day extension of title VI from March 31 to May 31, in order to give both the Senate and the House ample time to consider the comprehensive legislation recommended by the Joint Committee on Housing.

The distinguished chairman of the House Banking and Currency Committee was not agreeable to a 60-day extension but was agreeable to going along with a 30-day extension. So the other body acceded to his wishes, and on March 25 passed an extension of title VI to April 30 with an additional authorization of \$400,000,000, which was accepted by the House on March 29. It should be noted by the Members of the House that if the chairman of their Banking and Currency Committee had gone along with the original proposal of the Senate for a 60-day extension there would be no lapse in title VI today.

During April, the Flanders amendments to the Taft-Ellender-Wagner bill were debated in the other body, and an amended bill was passed without dissent on April 22 which incorporated all the legislative proposals of the Joint Committee on Housing, including a 1 year's extension of title VI substantially identical to the bill passed by the House on March 23.

Since the legislative recommendations of the Joint Committee on Housing had not yet been considered by the House Banking and Currency Committee, the Republican leadership in the other body determined on another stop-gap extension of title VI in order to give ample opportunity for full consideration of the comprehensive legislation by the House without any interruption of title VI operations. It is true that there was an effort made in the other body to pass the 1 year's extension of title VI independently—in the absence of the Senator from Ohio, who was campaigning for the Republican Presidential nomination. In fact, the distinguished majority leader of the House and the distinguished chairman of our Banking and Currency Committee were present on the floor of the Senate when this maneuver was attempted. But this attempt was resisted strenuously by the Republican leadership in the other body. Both the Republican leader, Mr. TAFT, and the Senator from New York, Mr. IVES, who is believed to speak for another candidate for the Republican Presidential nomination, complained that an attempt was being made to sabotage the Taft-Ellender-Wagner bill. So the Senate rejected this maneuver and instead adopted on May 5 a bill for a further 60-day extension of title VI with an additional authorization of \$600,000,000.

That is the situation we have been in since May 5. The FHA's authority to insure mortgages under title VI lapsed on May 1. The chairman of our Banking and Currency Committee has had available two alternative ways for remedying this lapse. On the one hand, he could quickly report out to the floor of the House the Senate bill for a further 60-day extension of title VI. But he has stated he will not take up this bill. On the other hand, he can expedite action on the Taft-Ellender-Wagner bill, including its provisions for a 1-year extension of title VI, and let the House debate this measure on the merits. But he has scheduled protracted hearings on this bill, to add to the volumes of testimony taken by the Joint Committee on

Housing which has already recommended all the provisions of the bill.

In the meantime, the organized real estate interests, speaking through the National Association of Real Estate Boards and the National Association of Home Builders, are complaining that title VI has been allowed to lapse. But these interests are very choosy about what they want. They want title VI but only title VI. They have stated publicly that they are willing to see title VI lapse forever rather than to accept this aid through legislation which would also give some housing relief to the low-income veterans and other low-income families who cannot possibly be served by the private housing industry.

I say that it is about time to stop this kind of politicking about the housing shortage. I say it is about time for the Republican leadership of this Congress to break its own stalemate on housing. If title VI is important to the housing industry, let us take up the bill for a 60-day extension. And then let us take up the Taft-Ellender-Wagner bill, without further delay or further filibustering.

WORKERS EAGER TO BUY HOMES AT TODAY'S PRICES—SURVEY REVEALS NATIONAL TREND IN HOUSING SALES PRICES, OLD AND NEW

Housing sales prices, including both old and new properties in all price ranges, displayed some midwinter hesitancy but have now resumed their postwar climb. This fact was graphically proved in an elaborate survey, recently completed by United Industrial Associates, Inc., and we are indebted to them for permission to quote the table of comparative prices here. Business Week used this same data to develop an impressive chart in their April 24 issue.

They observe that—

The average American home, old and new, sold in January for \$10,519 as compared with \$9,556 in January a year ago and \$4,599 in 1939. The greatest price increase and highest prices are recorded in Los Angeles where prices have more than tripled, and the average house is selling for over \$15,000. Other markets of high demand and prices are San Francisco, Washington, D. C., Seattle, Minneapolis, and St. Paul, St. Louis, Mo., Cincinnati, Boston, and Buffalo.

There are still so many families looking for homes that housing sales prices are not showing any trend downward, according to UIA survey quoted currently in Business Week.

Increases in housing sales prices since 1939

City	Average price			Percent increase	
	1939	1945	January 1948	Since 1939	Since 1945
Boston.....	\$5,558	\$8,101	\$13,050	134.8	61.1
Buffalo.....	4,968	5,520	8,438	69.8	52.9
Chicago.....	5,232	8,823	12,687	142.5	45.4
Cincinnati.....	5,037	6,976	9,743	93.4	39.7
Cleveland.....	5,233	7,674	10,800	105.4	40.7
Detroit.....	4,445	5,910	8,020	80.4	35.7
Houston.....	4,275	4,830	6,750	57.9	39.8
Indianapolis.....	3,110	4,952	7,537	142.3	52.2
Kansas City, Mo.....	2,511	3,580	6,218	147.6	73.7
Los Angeles.....	5,377	10,522	15,419	186.8	146.5
Milwaukee.....	4,373	6,146	8,950	104.7	45.6
Minneapolis-St. Paul.....	3,526	5,816	8,276	134.7	42.3
New York City.....	6,000	9,791	12,488	108.1	27.5
Philadelphia.....	2,750	3,980	6,989	154.1	75.6
Pittsburgh.....	5,294	6,752	10,300	94.6	52.5
Portland, Ore.....	2,940	4,632	7,042	139.5	52.0
St. Louis, Mo.....	2,942	4,162	6,196	110.6	48.9
San Francisco.....	4,210	7,510	10,553	150.7	40.7
Seattle.....	3,613	6,215	8,480	134.7	36.4
Washington, D. C.....	5,835	8,462	11,884	103.7	40.4
National average.....	4,599	7,174	10,519	128.7	46.6

The prices of new houses in most areas continue enough higher than costs of construction that builders are expected to go ahead with a large construction program this spring. The UIA housing price index is 229 as compared with the FHLBA housing cost index 192 (preliminary for December). A drop in construction volume will not occur until the margin between costs and prices of houses is narrowed by a drop in prices or by further substantial increases in costs. The level of housing prices is also well above rents, building materials, and the consumer price index.

EXTENSION OF REMARKS

Mr. CELLER asked and was given permission to extend his remarks in the RECORD in three instances.

GEORGE POLK

Mr. FOLGER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and revise and extend my remarks and include a portion of an article by Marquis Childs.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. FOLGER. Mr. Speaker, as every other American has undoubtedly felt, I have been greatly disturbed by the untimely death of Mr. George Polk, of the Columbia Broadcasting Co. Mr. Polk was killed in Greece. An immediate effort seems to have been made to charge it to Communist influences. I saw that that could not be true because he had told his friends that he had been accused of being a Communist and had been called a pink. But Mr. Childs, in writing about the matter, said that he was not content to write about lies, but wanted to get the truth, and that George Polk was one of the great reporters that he had met and known. I fear if the investigation as to the true circumstances surrounding his death is to be left to the present regime in governmental affairs in Greece, the surviving kin of this fine young man will never know the truth. Mr. Childs called upon the United States to see that an investigation is made. I hope it will not be left to the present government of that country.

SHROUDED TRUTH

The murder of George Polk, of the Columbia Broadcasting System, in Greece is like a sudden lightning flash in the murky atmosphere of that troubled country. It deserves the fullest investigation, which should have the backing of the Government of the United States.

I saw George Polk in Athens last fall. He was one of three or four really able correspondents in Greece. Both in the war as a Navy combat flier, and then on his beat in the strife-ridden Middle East, Polk had repeatedly proved his courage, his initiative, his determination.

Because he wanted to get the story behind the surface of the news, he was not content to take government hand-outs and government favors. In the midst of the intrigues of Athens he kept his eyes on the main goal—to give the American people the whole story regardless of who might be hurt or offended.

As a consequence, he was resented in high places in the Athens government. He told me last September of the effort to smear him as a Red or a Pink—a favorite technique of the extreme Rightists who dominate the Athens regime. While Polk did not take this too seriously, he realized that he had made enemies because of his criticisms of the fall-

ures and stupidities of the Athens government.

That is one reason why the first attempt to put the blame on the Communists, with whom he was supposed to be trying to make a contact in order to interview General Markos, must not be taken at its face value. That is too easy, and the regime in Athens should be made to understand that it is too easy.

This comes at a time when rumors persist of a new build-up to be launched from Athens and Washington—a build-up of the need for American troops in Greece. What George Polk might have said and written when he returned to the United States, as he planned to do, could have interfered with that build-up.

The SPEAKER. The time of the gentleman from North Carolina has expired.

RECOGNITION OF ISRAEL

Mr. KEOGH. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KEOGH. Mr. Speaker, President Truman has again displayed his great courage, his forthrightness, and his statesmanship in effecting the immediate recognition of the de facto Government of Israel. The impetus of the friendly offices of the United States of America will contribute in a large measure to the establishment of permanent government in Palestine to which so many millions of Jews and non-Jews alike have looked forward to for many, many years. Those of us who have been privileged to participate in the Government at this time can well understand the importance of these days and the gratitude and loyalty of every American Jew should be revealed in their enthusiastic encouragement of President Truman. The Americans who by their aid and assistance have contributed to the establishment of the long-sought homeland can also look upon this historic hour with satisfaction and hope.

EXTENSION OF REMARKS

Mr. KEOGH asked and was given permission to extend his remarks in the RECORD and include an editorial from the Brooklyn Eagle.

Mr. MULTER asked and was given permission to extend his remarks in the RECORD in three instances and include extraneous matter.

THE MUNDT BILL

Mr. EBERHARTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. EBERHARTER. Mr. Speaker, this is the third legislative day which the House is going to spend in the consideration of a measure which the other body has indicated it will give no consideration to before adjournment. It is a waste of time, time which will become more and more precious as we near the dead line for adjournment. Within the next few days, Mr. Speaker, there will come before the House a measure of the utmost importance from a domestic as well as international standpoint, and that is whether this country is going to

go back to the policy of economic isolationism and economic warfare. Mr. Speaker, I hope in the closing days of the session, adequate time will be given to a discussion of the renewal of the reciprocal trade agreements program, because that is a measure which will affect the life of every person in this country, as well as the economic welfare of people all over the world.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

EXTENSION OF REMARKS

Mr. ROONEY asked and was given permission to extend his remarks in the RECORD in two instances, in one to include an editorial from the Brooklyn Eagle.

Mr. HUBER asked and was given permission to extend his remarks in the RECORD.

Mr. SMITH of Wisconsin asked and was given permission to extend his remarks in the RECORD and include an article.

Mr. COLE of New York asked and was given permission to extend his remarks in the RECORD in two instances and insert editorials.

Mr. MASON asked and was given permission to extend his remarks in the RECORD on the subject of Co-ops Are Big Business, and to include therein an article on the same subject.

SPECIAL ORDER GRANTED

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent that today, after the disposition of business on the Speaker's desk and the conclusion of special orders heretofore granted, I may address the House for 10 minutes.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

EXTENSION OF REMARKS

Mr. BUFFETT asked and was given permission to extend his remarks in the RECORD in two instances.

SUBVERSIVE ACTIVITIES CONTROL ACT, 1948

Mr. NIXON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 5852) to combat un-American activities by requiring the registration of Communist-front organizations, and for other purposes.

CALL OF THE HOUSE

Mr. MARCANTONIO. Mr. Speaker, a point of order. I make the point of order that a quorum is not present.

The SPEAKER. Obviously a quorum is not present.

Mr. ARENDS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 67]

Abbutt	Bonner	Chapman
Allen, Calif.	Boykin	Clark
Andersen, Calif.	Bramblett	Cravens
Andrews, N. Y.	Brooks	Davis, Tenn.
Bell	Bulwinkle	Dawson, Ill.
Bland	Byrne, N. Y.	D'Ewart
Boggs, La.	Carroll	Dingell

Domengeaux	Johnson, Okla.	O'Hara
Dorn	Johnson, Tex.	Passman
Douglas	Kearney	Ploeser
Engle, Calif.	Kearns	Powell
Fisher	Kee	Rains
Flannagan	Kefauver	Sabath
Fuller	Kennedy	Sarbacher
Gallagher	Kirwan	Scoblick
Granger	Knutson	Sheppard
Grant, Ala.	Lane	Short
Hall	Ludlow	Smith, Maine
Edwin Arthur	Macy	Stigler
Hartley	Maloney	Thomas, N. J.
Hébert	Meade, Ky.	Towe
Hendricks	Meade, Md.	West
Herter	Miller, Calif.	Whitaker
Hoffman	Morrison	Wilson, Ind.
Jackson, Wash.	Morton	Wilson, Tex.
Jarman	Mundt	Wolcott
Jenkins, Ohio	Norrell	
Jenkins, Pa.	Norton	

The SPEAKER. On this roll call, 344 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

SPECIAL ORDER GRANTED

Mr. ROSS. Mr. Speaker, I ask unanimous consent that after the disposition of business on the Speaker's desk and the conclusion of special orders heretofore granted, I may address the House today for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

EXTENSION OF REMARKS

Mr. GRANT of Indiana asked and was given permission to extend his remarks in the RECORD and include a newspaper article.

THE WHEAT SITUATION

Mr. H. CARL ANDERSEN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. H. CARL ANDERSEN. Mr. Speaker, the international wheat agreement apportioning the world market and establishing 5 years of minimum and maximum prices was sent to the Senate for ratification by President Truman on April 30. This agreement involves 33 importing nations and 3 exporting nations. The latter group consists of the United States, Canada, and Australia.

Under the agreement, these 3 exporting nations will deliver to the 33 importing nations during the next five crop years, 500,000,000 bushels of wheat each year at prices ranging from \$2 to \$1.10 per bushel at ocean ports and Fort William, Canada.

Mr. Speaker, it behooves all of us, both for the protection of the wheat producers and the taxpayers of America, to scrutinize this far-reaching program very carefully. I hope the Members of the Senate will carefully weigh the consequences of this agreement before granting approval to it or to any other similar agreements.

Under this agreement an International Wheat Council will be formed in which the United States will have 370 votes compared with the 630 votes of the other two exporting nations, Canada and Australia. Of the 1,000 votes allotted to the 33 importing nations, the United

Kingdom will have 360. Nations within Great Britain's orbit of influence, including Canada and Australia, will control at least 1,100 votes of the 2,000 votes in the International Wheat Council. This Council will ultimately decide the price at which the wheat we export under this agreement will be sold, within the minimum and maximum levels.

Suppose today, with May wheat at \$2.47 in Chicago, Great Britain should ask us to ship them a portion of their allotment. The \$2 price at the seaboard, or Port Arthur, Canada, would obtain. As I interpret the agreement, Uncle Sam would first have to buy wheat at Chicago at \$2.47 and pay expenses on this wheat to the ocean port. Let us assume the very reasonable amount of 13 cents for this, and we have a cost of \$2.60 to the United States for each bushel delivered. Then we get back \$2 at the most, and perhaps much less if the Council should so decide.

Suppose we average this selling price at \$1.75, and as a result Uncle Sam would pay a subsidy of 85 cents per bushel on whatever was shipped up to a possible 185,000,000 bushels for the crop year 1948. This would mean a total subsidy cost of \$157,000,000 for the privilege of exporting 185,000,000 bushels of wheat. Is this good business? Why should we pay a thin dime today under present market demands to export wheat?

Now let us glance at the 1952 crop year. Under this agreement the Council could determine, if the United States had wheat to offer, that \$1.10 would be the price, or approximately 97 cents in Chicago or 85 cents in the Dakotas. How will this agreement affect our future wheat price? Will the taxpayers of America pay the difference to the producer between parity and the 97 cents in Chicago, to the tune of possibly \$150,000,000? No; I fear instead the price to the producer will be smashed down so as to permit this subsidy to foreign consumers.

Mr. Speaker, I repeat, we must view this proposed agreement very carefully. The Senate will act shortly. Let us advise our colleagues in that body of our opinions of this far-reaching proposal.

EXTENSION OF REMARKS

Mr. JAVITS asked and was given permission to extend his remarks in the RECORD.

Mr. PLUMLEY (at the request of Mr. ARENDS) was given permission to extend his remarks in the RECORD in two instances and to include editorials in each instance.

Mr. GWYNNE of Iowa asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. VAN ZANDT asked and was given permission to extend his remarks in the RECORD and include an editorial from Boalsburg, Pa., the birthplace of Memorial Day.

Mr. SADOWSKI asked and was given permission to extend his remarks in the RECORD in three instances and include excerpts.

Mr. JENNINGS asked and was given permission to revise and extend the remarks he expects to make in Committee of the Whole and include an editorial.

Mr. KERSTEN of Wisconsin asked and was given permission to extend his remarks in the RECORD and include an article.

**SUBVERSIVE ACTIVITIES CONTROL BILL,
1948**

Mr. NIXON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 5852) to combat un-American activities by requiring the registration of Communist-front organizations, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of H. R. 5852, with Mr. WADSWORTH in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday, section 3 had been read. Are there any amendments to section 3?

Mr. RANKIN. Mr. Chairman, a parliamentary inquiry. Had section 3 been read?

The CHAIRMAN. It has been read.

Mr. McDONOUGH. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have asked for this time in order to ask the chairman of the subcommittee some pertinent questions so that I may have an answer to the more than thousand letters, postcards, and telegrams from people in my district in opposition to this bill. I believe those people are entitled to an answer, and I certainly believe that they have been misled and misinformed. Their fears have been aroused to the possible loss of their civil rights under the Constitution of the United States, and as I read and understand the bill, all of the questions that I have to ask can be answered by a simple "Yes" or "No." If the chairman of the subcommittee will give me his attention, I will state the questions.

Question No. 1: Will this bill deny or abridge the rights of freedom of speech, freedom of the press, freedom of religion, or freedom of assembly, as guaranteed by the first amendment to the United States Constitution, to any individual, organization, or association not dominated by a foreign power?

Mr. NIXON. The answer to that is "No."

Mr. McDONOUGH. Question No. 2: Will this bill deny any of these rights or privileges guaranteed by the first amendment to the Constitution, to which I have just referred, to any individual, association, or organization which is dominated by a foreign power, if such individual, organization, or association is registered with the Department of Justice?

Mr. NIXON. The answer to that is "No."

Mr. McDONOUGH. Question No. 3: Will this bill deny any individual, organization, or association not dominated by a foreign power the right to criticize Congress, the executive, the administrative or the judicial departments of the United States Government?

Mr. NIXON. This bill does not deny to any individual that right.

Mr. McDONOUGH. Question No. 4: Will this bill deny any individual, organization, or association the right of trial by jury as guaranteed by the fifth amendment to the Constitution of the United States?

Mr. NIXON. It will not.

Mr. McDONOUGH. Question No. 5: Will this bill deny any individual, organization, or association the right to advocate, propose, or support public housing, public power, socialized medicine, minimum wages, antipoll tax, antilynch laws, or nondiscrimination or segregation because of race, creed, or color?

Mr. NIXON. It will not.

Mr. McDONOUGH. Question No. 6: Will this bill penalize any two individuals, an organization, or an association which is under foreign domination and which conspires to set up a totalitarian dictatorship under foreign control, either by the tactics or procedure of fascism, nazism, or communism?

Mr. NIXON. In answer to that question, I will point out to the gentleman that section 4 of the bill would have had the same application to the German-American Bund before World War II as it will have to the activities of Communists or Fascists or Nazis today, in the event they attempt to set up in any manner a totalitarian dictatorship under foreign control in the United States.

Mr. McDONOUGH. In other words, the answer to that is that it will penalize such an individual, organization, or association?

Mr. NIXON. It will.

Mr. McDONOUGH. Question No. 7: Will this bill expose and reveal to the public the enemies of democracy as we know it who are in the United States, its possessions and Territories, and the Panama Canal Zone, who are under the domination of a foreign Communist power?

Mr. NIXON. It will.

Mr. McDONOUGH. Question No. 8: Should any American who is either liberal, conservative, or a middle-of-the-roader in his political beliefs, who is a Democrat, a Republican, an Independent Progressive, a PCA, an ADA, or a member of any labor union, who is Negro, Caucasian, yellow, or red, who is Catholic, Jew, or Protestant, agnostic, or atheist, that is not under the domination of a foreign power, have any fear that this bill will create a police state or a witch hunt if it is passed and becomes the law?

Mr. NIXON. The answer is "No." And I should like to elaborate on the answer to this extent: The claim has been made that this bill is a police-state bill. That is the usual tactic resorted to by Fascists, whether they be brown, or black, or red, for the purpose of discrediting a particular piece of legislation to which they are opposed—the tactic of the big lie.

This bill, far from being a police-state bill, is a bill which will prevent the creation of a police state in the United States.

It is obvious from these questions and answers that no American liberal, conservative or otherwise, need have any fear of the denial or restriction of his civil, political, or religious rights as guaranteed under the Bill of Rights in the United States Constitution who is not dominated or under the control of a

foreign power, and not registered with the Department of Justice.

It is also obvious that all enemies of the United States who are under control and domination of a foreign power, and who attempt to set up a totalitarian dictatorship in the United States either Fascist, Nazi, or Communist will be penalized, and should be.

What loyal, liberty-loving American would not be in favor of that; by what stretch of the imagination can any loyal, liberty-loving American be favorable to any political ideology that would undermine, demoralize, and take away from him his constitutional liberties. Let me here quote from John Stuart Mill:

A people may prefer a free government, but if, from indolence, or carelessness, or cowardice, or want of public spirit, they are unequal to the exertions necessary for preserving it; if they will not fight for it when it is directly attacked; if they can be deluded by the artifices used to cheat them out of it; if by momentary discouragement, or temporary panic, or a fit of enthusiasm for an individual, they can be induced to lay their liberties at the feet even of a great man, or trust him with powers which enable him to subvert their institutions, in all these cases they are more or less unfit for liberty; and though it may be for their good to have had it even for a short time, they are unlikely long to enjoy it.

Mr. Chairman, the time has come for definite action by the Congress to legally define communism in clear, concise terms. Newspapers editorialize about communism, men in public life are attacked as adherents to communistic philosophies, but in spite of all these discussions few people can define communism or give any coherent explanation of their understanding of the term.

Informed Americans know that a Communist menace does exist in the United States, a dangerous force which threatens our future. There is evidence proving that an organized attempt is being made to establish communistic methods, policies, and political ideologies within this Nation. The number of workers in this movement who understand its true purpose may be few. But, unfortunately, they are highly trained men and women like Gerhart Eisler, so subtle in their methods that they enlist the active aid of thousands of loyal Americans who are sympathetic and are misled by deliberate confusing of issues, subversion of facts, and deceit.

We must take steps to protect the innocent and expose the guilty. We do not want to brand loyal Americans, misguided though they may be, with the label of communism when they had no intention of furthering the Communist cause. We do want to seek out the Communists who burrow from within to destroy everything we cherish—freedom of religion, freedom of speech, and freedom of enterprise. We want to expose them, reveal them as enemies of the United States, and deal with them accordingly.

In every argument in the House concerning communism or Communists we see further evidence of the need for clarification of the use of these terms. Champions of persons accused of communistic activity argue that no man can be guilty of communistic activity unless he has en-

gaged in actively supporting action for the violent overthrow of the Government of the United States.

Before the development of the fifth column technique in Europe this may have constituted a liberal definition of communism. But today, with the record of the infiltration of nazism in the countries of Europe before the war and rise of quislings within European governments, we know that organized communism can use these methods, which overthrow without violence, and communism has adopted them in Czechoslovakia, in Hungary, and elsewhere.

Communism crawls through this Nation with the subtlety of the serpent, bent upon the destruction of all religion, the abolition of all private property, and the complete subordination of the individual to the state. Its weapons are deceit, conspiracy, confusion, propaganda, and revolution. Its goal is the overthrow of democratic government by peaceful means, or by force and violence if necessary.

It is obvious that an untenable situation exists. We can help to correct it by passing this bill, H. R. 5852.

Can we allow the unrestricted operation of a foreign directed and dominated Communist Party within the United States when we know that Russia under no circumstances would permit American democracy to be advocated, practiced, or organized into a political party in Russia?

This bill even permits a foreign dominated and directed Communist Party to operate in the United States provided that the name of the organization, its officers, and members are registered with the Department of Justice so that the public will have full knowledge of who they are. This is no more restrictive than is required by California State law, which requires that you must register as a Democrat, Republican, or other legitimate political party, thus making a public record of the membership of such political parties, before you can vote.

This bill does not deny the organization of an American Communist Party not dominated and directed from a foreign power.

Freedom of the press and of speech is not denied under this bill, providing the members of a foreign directed and dominated Communist Party are registered with the Department of Justice.

This bill seeks only to make public those who would use freedom of speech and of the press to advocate the policies of a foreign directed and dominated Communist Party, which, if it ever gained majority power in the United States, would deny freedom of speech and of the press and freedom of religion.

Why should we spend billions in Europe to resist communism and do nothing to resist it here at home?

Following is an editorial from the Hollywood Citizen-News of Friday, May 7, 1948, which has wide circulation in my district:

WORRIED COMMUNISTS

American Communists are exceeding active in opposition to the bill proposed by Congressmen MUNDT and NIXON for the control of communism in the United States.

Their activity causes the average citizen to take more than a passing interest in the measure.

The Communist defense of the Hollywood screen writers for defying Congress in refusing to answer whether or not they had ever been members of the Communist Party has been of high intensity but even that has to take second place to the activity and the shouting against the Mundt-Nixon bill.

So we should take a look at the proposal. The bill would refuse passports to Communists, seeking thus to stop the steady influx of spies.

It would require the Communist Party and all members thereof to register with the Department of Justice.

It would make it a criminal offense for a Communist to work for the United States Government and for anyone to knowingly hire a Communist for a Federal job.

Specifically, the bill declares that "It shall be unlawful for any person to attempt in any manner to establish in the United States a totalitarian dictatorship, the direction and control of which is to be vested in, or exercised by, or under the domination or control of any foreign government, foreign organization, or foreign individual."

The frenzied opposition of Communists to the proposal indicates that they are convinced that the law would tend to prevent activities to destroy this country's democracy and activities to build up a totalitarian dictatorship.

If the bill will do what the frenzied Communists believe it will do, then it is a good bill for believers in democracy to support.

Persons who are working for a totalitarian dictatorship should be known to the general public. Members of the Communist Party should be known to the general public.

Present activities of Communists on behalf of the Hollywood screen writers who were identified in testimony before the Congressional Committee on Un-American Activities as having been members of the Communist Party are a simple matter for them.

The Communists can pour money into a defense fund for screen writers and others and not give it a second thought, for today there is no law against advocacy of a Stalin dictatorship.

But if there should be a law against efforts to establish a Stalin dictatorship then Communists would give more than second thought to their activities.

The proposed law would not change the thinking of any Communist believer in the Stalin dictatorship. It would stop any open advocacy of that dictatorship or any other dictatorship. It would make some of the otherwise innocent dupes of the Communists cautious to avoid association with known enemies of this country's democracy.

The right of free speech which democracy grants to its citizens is not for use for the support of a dictatorship that denies all right of free speech.

The Communists, who today revel in their right of free speech in this country, would deprive Americans of that right under a Stalin dictatorship.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. MITCHELL. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, those of you who heard my few remarks yesterday and those of you who read them in the RECORD this morning will be interested in a communication I received in this morning's mail. I am going to read this communication to you but I shall not reveal the identity of the writer for obvious reasons. This

communication was dated May 17 and is addressed to me:

DEAR SIR: I am a member of local 813, UER and MWS, at the Seeger Refrigerator Co. in Evansville.

Local 813 had a general membership meeting yesterday afternoon. There were about 250 to 300 members present.

At this meeting a communication was read condemning the Mundt bill which requires Communists to register and which is now in the House of Representatives, I believe. It was voted on but first it was discussed. This communication was defeated about 3 to 1 but the presiding officer declared it carried; it just shows you how crooked they are.

Now if this communication should show up in your office for pressure on you to vote against it from local 813 I would like to know it, since the opposition to communism is growing rapidly here and it would give us one more club to use on the commies.

In closing, Mr. MITCHELL, I urge you to support the Mundt bill because the Mundt bill in my opinion will bring them out where everybody can see who they are which will be a great help in keeping them out of responsible positions.

I have also a clipping from the Evansville Press, a three-column story of how this meeting was conducted. The heading is "United electrical meeting closed before anti-Communists can act." The article points out how they steam-rolled that meeting, how they gaveled down patriotic boys who attended that meeting for the purpose of establishing their anticommunistic attitude. The leaders gaveled them right down. I sincerely hope that the Committee on Labor and Education will go into these matters very, very carefully at the next session of Congress, and will conduct inquiries as to why the presiding officers in these unions can ram this stuff down the throats of the members who pay the dues.

Mr. KERSTEN of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. MITCHELL. I yield.

Mr. KERSTEN of Wisconsin. Does not the gentleman understand, realize, and agree that some of the top membership of that very union, the United Electrical local, is made up of avowed Communists and fellow travelers?

Mr. MITCHELL. I mentioned that in my remarks yesterday. Those particular individuals certainly are Communists, but I maintain that 95 percent of the local in my home town, Evansville, Ind., are good, loyal, patriotic American citizens, but they just do not have control over their local yet. I had hoped that the Taff-Hartley Act would give the membership control of their unions. In this case it has not done so as yet, due to the fact that the leaders have refused to sign the anti-Communist affidavits, and, believe me, the membership is plenty sore down there. I think at the next meeting they will be successful in kicking these pinkos out.

Mr. McDOWELL. Mr. Chairman, will the gentleman yield?

Mr. MITCHELL. I yield.

Mr. McDOWELL. This is the great international union which is ruled and directed by Julius Amspeck.

Mr. MITCHELL. Amspeck, and at his right hand is a fellow named William Sentner, in St. Louis, who has admitted,

according to this article, that he is a Communist.

Under permission granted by the House, I include the articles to which I refer, that the Members may see what is going on in some unions in this country.

(The article referred to follows:)

UE MEETING CLOSED BEFORE ANTI-COMMUNISTS CAN ACT

(By Ed Klingler)

A planned assault against alleged left-wing leadership of local 813, CIO United Electrical, Radio, and Machine Workers, was nipped in the bud Sunday afternoon.

Local 813 anti-Communists said they were "slickered" by a "typical Communist trick." The meeting was adjourned before they could get rolling.

The meeting in UE hall, First and Main Streets, was open to local 813 members from Seeger, Seeger, Faultless, Bucyrus-Erie, and George Koch Sons.

The committee for democratic action, the active anti-Communist group within local 813, had worked at getting out a big anti-Communist attendance.

They had planned to bring up the question of alleged Communist leadership and to name those they believed to be Communists or followers of the party line.

CLAIM MAJORITY

"We had them outnumbered at least 4 to 1, and probably 6 to 1," said one anti-Communist leader. "We could have outvoted them (the leftists) on anything."

He said routine business was disposed of and the anti-Communists were preparing to spring their proposals when the Chair called for a motion to adjourn.

The motion was made and seconded. The gavel cracked and a few members got up and walked out.

From the floor the anti-Communists began to call out for a vote opposed to adjournment. The answer was: "There is no more business." Union officers vacated their chairs and so far as the legal aspects of the meeting were concerned, it was all over.

The frustrated anti-Communists remained in the hall until an announcement could be made by their leaders.

ANTI-REDS TO MEET

It was announced that there will be regular Tuesday night meetings in Haymaker's Hall, 2209½ West Franklin Street, where the anti-Communists can talk over their problems and ways to solve them.

Before formal adjournment, however, there were reported to have been two actions—both resolutions.

One commended the local 813 "victory" resulting from settlement of the Seeger strike. The other referred to the CIO United Packinghouse Workers strike, now entering its third month.

The resolution said the Seeger strike taught "a lesson we should never forget * * * that victories over the bosses can be won by a united rank and file in support of our elected leaders."

It charged the employers seek to destroy the union by dominating it.

"This," said the resolution, "is the real meaning of the attacks upon our leadership during the Seeger strike and now by the Bucyrus-Erie management."

SEEGER RESOLUTION

The resolution was in three points:

1. A vote of thanks and confidence for local and district union officers for the outcome of the Seeger strike.

2. A rejection of "the attack on our leadership by N. R. Knox, Bucyrus-Erie president, the newspapers, and others who are using the same tactics for the same reasons."

3. Support to membership at Bucyrus, Seeger, Faultless, and George Koch Sons in negotiations to achieve their just demands.

Reference to Bucyrus-Erie was based on the company's refusal to recognize or do business with a Communist union. Mr. Knox mailed to the 1,200 employees copies of a letter to William Sentner, UE district president.

It charged Mr. Sentner with serving Communist objectives rather than the best interests of employees.

Anti-Communist local 813 members say they can endorse rejection of the Bucyrus attack with good grace.

KNOW WHAT'S WRONG

One said: "We have been dissatisfied with our union leadership, both local and district, for over 5 years. We know what's wrong with it."

"But we aren't dissatisfied with our union. We have resisted proposals that we abandon the UE and go into some other union."

"We are not giving up our union—we are determined to reform it so it will function in the fashion in which it was designed."

"Although we oppose our leadership, we do not believe Bucyrus is on honest ground. We think the company is trying to use the Communist issue to avoid bargaining. We don't intend to abandon support of our Bucyrus members just because the union leadership isn't to our liking."

Copies of Mr. Sentner's reply to Mr. Knox were circulated at the meeting.

BACKS MEAT STRIKERS

The second resolution gives local 813 endorsement to the strike that has closed the Evansville Swift plant, Weil Packing Co. and the Fort Branch Emge plant.

It proposes:

1. A labor demonstration in support of the Swift and Chrysler strikes.

2. To establish a "United Labor Defense Committee" of the CIO, AFL and railroad brotherhoods to support all strikers in Evansville.

3. To ask national CIO to call a national emergency labor conference to "unite all organized labor in this fight."

The resolution charges the whole weight of city, State, and Federal Governments is being thrown to support of the packing trust bosses. It says in Evansville a Democrat mayor and Republican State police are supporting Swift.

SEES LONG STRIKE

The Chrysler strike will be long and tough in the opinion of Jack Jarvis, Detroit, representing the CIO United Auto Workers Chrysler Department.

He reported on the situation at a meeting of Chrysler local 705 Sunday in the union's hall, Eighth and Main Streets.

He said strike funds of local unions would be augmented by a \$7,000,000 national fund. Meanwhile, national officers of the Chrysler Department aren't accepting any pay for the rest of the strike.

PROVE CHARGES, SENTNER DEMANDS—SAYS BUCYRUS HEAD'S CLAIMS ARE LIES

Public proof of Communist charges is demanded of N. R. Knox, South Milwaukee, Wis., Bucyrus-Erie president.

The demand is made by William Sentner, District 8 president and general vice-president of CIO United Electrical, Radio and Machine Workers.

Copies of Mr. Sentner's letter to Mr. Knox were distributed Sunday at a meeting of local 813, UE. The letter is dated Saturday.

It referred to a letter to Mr. Sentner, distributed May 3 by Mr. Knox to the 1,200 Evansville Bucyrus employees. This said the company would no longer recognize or deal with local 813 because it is a Communist-dominated union.

RETRACTION IS ALTERNATIVE

Mr. Sentner's reply demands public proof at a meeting of Bucyrus employees in Evans-

ville, with the alternative of a retraction and apology.

It terms Mr. Knox's letter as "slandrous attacks upon my loyalty to my country and my union."

The letter reads in full:

"I read your letter in The Evansville Press. The statement of the local union's negotiating committee, issued on May 5, adequately gives answer to the unfounded charges made by you against our membership. They correctly noted that by your action in breaking off negotiations, the management of Bucyrus-Erie has deserted peaceful collective bargaining and chosen instead a program of disruption and irresponsibility."

ACTION ENDORSED

"A subsequent membership meeting has endorsed this statement. It resolved to continue its efforts to negotiate a satisfactory labor contract and remain firm in its determination to resist any encroachment that management may attempt on their wages, rights, and privileges established by the union in the past year.

"The real purpose of your May 3 letter is to force upon your employees the company's contract. This is proven by the fact that you put a wage increase into effect and then renege on submitting your countercontract proposals as you promised.

"At the April 5 meeting between your representatives and the union committee, the company suggested another meeting 3 weeks later at which time it promised to submit to the union its counterproposals. No meeting was held. Instead, your letter of May 3 was the first indication that you had no intention whatsoever to keep your word."

BENEFITS LISTED

"You state that we aren't interested in the welfare of our membership. We asked for a substantial wage increase; an improved vacation plan; automatic rate increases to the top of the rate range; an improved incentive premium plan; an additional 5 cents per hour for second-shift employees; and an adequate health, welfare, and insurance plan. Which of these union proposals is not in the interests of our membership?

"You also claim that the actions of our officers are not in the interests of our membership. This is a lie. The organization of your employees as part of Local 813 was in their self-interest. The wage increase secured last year, in contrast to the miserly 5 cents an hour the year before, was in the interest of our membership. A union steward in every department, elected by his fellow workers, is real industrial democracy in the interest of our membership. The establishment of a rank-and-file democratically run labor union in your plant, resulting in the settlement of grievances, is beneficial to our membership. Can you point out any specific actions which were not in the interests of our membership, and when and where they occurred?"

HIDE BEHIND LAW

"It is my considered opinion that you, as the president of a large corporation, could contribute much more to the welfare of your employees and the community by addressing yourself to their just needs rather than hiding behind the Taft-Hartley law. Instead, you are participating in an employer conspiracy in Evansville to company-unionize and establish employer domination of local 813.

"There is only one matter contained in your letter which is of any personal concern. You charge that my political objectives would help to destroy this country in the interest of a foreign power. That is a charge of treason, and if true would make me subject to prosecution under Federal law. You have a moral obligation to tell the truth, or be known as a liar.

"I am demanding of you that you meet me publicly in Evansville before an assembly of

your employees to substantiate these charges with facts or to make public retraction and apology for your slanderous attacks upon my loyalty to my country and my union."

Mr. Sentner frequently is referred to as an avowed Communist.

A group of Bucyrus workers have reported that at a meeting 2 weeks ago Mr. Sentner, when asked twice, replied twice that he was a Communist.

Mr. KLEIN. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, the mask is off.

Great Britain has exposed herself as the true villain in Palestine, the real aggressor, the brain which pulls the strings of its puppet states in the Arab League.

Baldly, boldly, and without shame the British Foreign Office has defied the United Nations, international comity, and rudimentary decency by the shameful declaration that Great Britain will continue to furnish arms and the \$10,000,000-a-year bribe to Transjordan for the British-led, British-trained, British-paid and clothed troops of that Charlie McCarthy nation.

Brigadier John Glubb Pasha, a subject of the King of England, continues to lead the barbaric Arab legion of King Abdallah. Transjordan and Saudi Arabia were created by edict of the British Foreign Office and the complaisant War Office. The forces of Egypt are scarcely yet out of control of British commanders.

Great Britain is exposed as the object of scorn, sabotaging the infant state of Israel, contributing to a slaughter which differs from the Nazi crematoria only in degree.

Our country, through the prompt and statesmanlike action of President Truman, recognized the government of Israel within minutes of the proclamation of independence.

We cannot now sit idly by while Great Britain, using funds supplied by American taxpayers, supplies the weapons of annihilation to the Arabs.

Great Britain could stop this shameful war in 24 hours.

I call upon the Security Council of the United Nations to invoke at once against Great Britain and all the states of the Arab League every sanction provided in chapter 7 of the Charter, including, if necessary the intervention of armed force to prevent any more carnage.

These nations accepted the restraints imposed by common action when they accepted membership in the United Nations.

By their own acts they have placed themselves outside the pale of civilized conduct.

Let the civilized world impose the penalties of that outlawry, to preserve the peace and save innocent lives.

Mr. KERSTEN of Wisconsin. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, yesterday afternoon the gentlewoman from New Jersey read into the RECORD a telegram from Bishop Haas, for whom I have great respect, indicating his opposition to the pending bill, which telegram, however, in no way refers to a particular provision. In order to demonstrate that other people of Catholic faith think quite differently

with regard to this bill, may I refer to some news articles in recent Catholic papers in reference thereto so that it may be indicated and demonstrated that there is considerable democracy in thinking on this bill among the Catholic people as well as in other groups.

I quote from the Brooklyn Tablet, a Catholic paper, of May 15, the following:

SUPPORT H. R. 5852

A perusal of the outline of the Mundt bill on another page of this issue will indicate why the Communist Party, its propaganda organs, and its dupes have been exerting every pressure to prevent the enactment by Congress of H. R. 5852, a measure sponsored by the House Committee on Un-American Activities to protect the United States against un-American and subversive forces. Congress has been blanketed with protests, mostly on post cards against H. R. 5852. Most Representatives and Senators, if not all, are aware of the common source of the protests, but, for the record at least, the mail in support of the measure should and must be heavy, forceful, and unequivocal.

We urge our readers not only to write to their Congressmen in support of H. R. 5852 but to make themselves familiar with the outline of the Mundt bill in order that they may instruct others. The Communists have resorted to the most extravagant deceit, lying, and trickery to arouse opposition to the measure. Members of Communist-controlled unions have been presented with petitions to sign against the bill. Unless Americans in favor of the Mundt bill speak out militantly and on every occasion, thousands of their fellow Americans will become the unwitting promoters of communism in America.

The primary aim of the Communists is to create active and strong opposition to the measure; where this cannot be achieved, they will try to belittle and smear it in order to discourage its support. The Daily Worker has accused the Mundt bill of being designed for almost every purpose but that expressly stated in the measure itself. The Communists have labeled it a police-state bill, whereas it is actually an antipolice-state bill. They charge it with being antiunion, whereas its purpose is to free American unions from alien political domination. They assert it is a step to totalitarian dictatorship in the United States, whereas it is the most practical and courageous step yet to be taken to keep totalitarian dictatorship out of the United States. They say it would make every political opposition a crime, whereas its express purpose is to eliminate from American politics the secret, conspiratorial, Soviet methods that threaten to destroy our political system. They accuse the sponsors of H. R. 5852 of seeking to speed up the preparations for world war III, whereas the real object of the measure is to strengthen our national morale by exposing our enemies in order that we may not be the bovine victims of Soviet expansionism.

Americans of Brooklyn have been given an added incentive to take the leadership in the fight to assure the enactment by both Houses of Congress of H. R. 5852, for the leadership of the masses in opposition is in this borough. The Kings Highway Section of the Communist Party pledged, in an advertisement in the Daily Worker, to raise \$10,000 in 10 days to defeat the Mundt bill. The national committee of the Party—never allergic to American dollars—raised the ante to \$500,000 for the Nation.

The issues are clearly defined and the fight is on—the Communists have at stake their freedom to wreck America; Americans have at stake their freedom. The Tablet takes its stand in the ranks with every true, militant American in support of H. R. 5852.

The Rochester Courier Journal, another Catholic paper, in an editorial by Rev. P. J. Flynn, writes as follows:

The American Communists are all upset. They will be forced to give their right names if the proposed Mundt bill—"To protect the United States against un-American and subversive activities"—becomes law. And it looks as if it will.

The editorial goes on to speak praise-ingly of the Mundt bill.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. KERSTEN of Wisconsin. I yield to the gentleman from New York.

Mr. KEATING. I would like to inform the gentleman that the State Convention of the Catholic War Veterans held at Rochester, N. Y., last week, unanimously endorsed this bill. It was no fake vote; it was a spontaneous vote of the entire membership gathered at that State convention. As a professing Protestant, I want to commend the Catholic War Veterans for their stand, and commend the article to which the gentleman referred.

Mr. KERSTEN of Wisconsin. I am very happy to learn of that action pointed out by the gentleman.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. KERSTEN of Wisconsin. I yield to the gentleman from Mississippi.

Mr. RANKIN. This bill also has the support of the American Legion which has in it men of every religion.

Mr. KERSTEN of Wisconsin. I thank the gentleman for that comment.

In another article appearing in the Brooklyn Tablet, a Catholic paper, dated May 15, we find the following.

Under the leadership of the Communist front organization, "Committee for Democratic Rights," many persons in public life have been duped into registering their protests against the measure.

Then it lists a number of names.

Then I should also like to refer to a release of the National Catholic Welfare Council, which is a Nation-wide news service with its headquarters here in Washington. They issued a release a week or so ago which will be found in the RECORD of May 10. I quote in part as follows:

The American Communist Party has announced a major campaign against the enactment of the proposed Subversive Activities Control Act of 1948.

Concluding, the article says:

Impartial observers view the proposed legislation as the most important control measure against communism ever contemplated here. If properly enforced, the law would effectively stifle Communist activities in America. In view of public sentiment today, exposure of secret Red activities would be fatal to the party. Hence the present struggle is really one of life or death for American communism.

Another broadcast bearing upon this bill came from Moscow on May 13. They talk about the Mundt bill, too, and their argument from Moscow sounds very much like some of the arguments that some of the gentlemen are presenting here in opposition to this bill. Moscow says that the Mundt bill is like the Nazi

laws and it goes on in a derogatory manner as some of the gentlemen on this floor have done. Moscow says we should not control and curb the world Communist conspiracy over which it has the exclusive control. We American people are going to stop the American part of that conspiracy by passing this measure with an overwhelming vote.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. MULTER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MULTER: Page 21, line 21, strike out line 21 on page 21 to line 20 on page 22.

Mr. MULTER. Mr. Chairman, very frankly this amendment is offered not because I expect that it will prevail, but because I am testing the good faith of those of you who have said here that this bill can be amended to be made an effective bill on the floor of this House. This proposed amendment will strike out reference to Communist-front organizations. I was very happy to hear yesterday during the course of the debate, several gentlemen who are supporting this bill, say that this is not intended to strike down the Wallace third party and that it will not affect Mr. Wallace or any of his adherents. I am opposed to Mr. Wallace and his third party. I think it is Communist-inspired, Communist-dominated, and Communist-affiliated. But I say that this bill will strike down Mr. Wallace and his third party and, therefore, I am opposed to it for that reason, in addition to the reasons I have already stated on several occasions.

Let me show you how this bill eliminates effectually the Wallace third-party movement. You define a Communist-front organization here as one with respect to which some or all of the following considerations give rise to the reasonable conclusion that "that its views and policies are in general adopted and advanced because such views and policies are those of a Communist political organization." Some of the considerations are found under subdivision (D) on page 22, as follows:

The position taken or advanced by it from time to time on matters of policy.

Let us see what the "matters of policy" are of the Wallace third party movement and see if they are not those of a Communist political organization as well as those of Communist-dominated Soviet Russia.

I do not believe anyone will deny that Mr. Wallace and his third party have conducted parades in violation of law, without flying the American flag. His party urges collaboration with Russia. He and his party approve Russia's rape of Czechoslovakia. He and his party approve Russia's domination of Finland. He and his party approve Russia's attempt to destroy democracy in Russia. Russia is selling arms to the Arab states in their aggression against the Republic of Israel and Wallace silently approves. He and his party incite strife and discord. In New York City only a few days ago Mr. Wallace stood upon the platform and silently acquiesced while one of the men

of his party from that same platform urged the audience to march upon a local theater and cause a riot and civil commotion. Mr. Wallace and his party oppose universal military training and selective service for our national security as does also the Communist Party of the United States of America.

Mr. Chairman, all those things are Soviet Communist policy. Under the definition of this bill as you put it here, you require them to register, and if they do not register you can send them all to jail. All the jury can determine is, did they register, and if they did not register they are guilty.

Mr. NIXON. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from California.

Mr. NIXON. The gentleman is referring to the definition of a Communist-front organization, as I understand?

Mr. MULTER. That is correct.

Mr. NIXON. That is the section the gentleman says would apply to the Wallace third party?

Mr. MULTER. Yes.

Mr. NIXON. May I call the gentleman's attention to the language of the definition, which was carefully drawn having in mind the necessity and the desirability of excluding the third party. I quote:

The term "Communist-front organization" means any organization in the United States (other than a Communist political organization and other than an organization having substantially all the ordinary and usual characteristics of a political party).

The language specifically excludes the Wallace party or any other organization having the characteristics of a political party.

Mr. MULTER. But it does apply to PCA and to any union that is supporting the Wallace movement even though intended to be and is it not a political organization.

Let me conclude with this: I have in front of me yesterday's edition of the Brooklyn Eagle, which reports the Right Reverend James Pernette DeWolfe, Episcopal Bishop of Long Island, as denouncing communism, which threatens world peace and which has caused so much chaos and unrest throughout the world.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. MULTER. Mr. Chairman, I ask unanimous consent to proceed for one additional minute.

Mr. NIXON. Reserving the right to object, Mr. Chairman, I should like to accede to the request, but due to the fact we must get on today I must say again at this time that I will have to object to any extension of time, as I did before to the request of the gentleman from Wisconsin [Mr. KERSTEN], immediately before the gentleman from New York took the floor.

Mr. McDOWELL. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the amendment offered by the gentleman is merely the camel getting his head under the tent. As a matter of fact, I agree with the gentleman when he stated that it probably would not pass. The gentleman made a

very touching and moving political address here, and I wish him well next fall. He is beset with enemies on all sides, according to his own statement—Communists by the score, Wallace people by the score, old-fashioned southern Democrats by the score, and so on. I do not think any further argument need be made in opposition to this amendment. I hope it is voted down.

Mr. CELLER. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, we heard with interest the apparently rehearsed dialogue between the two gentlemen from California, one propounding questions and the other answering in turn. There is another gentleman from California with whom I would like to carry on an unrehearsed dialogue, the gentleman from California [Mr. HOLIFIELD]. I would like to ask him the following questions:

Does this bill set up a new loyalty test for citizens of the United States?

Mr. HOLIFIELD. Yes. The criteria for treason are new criteria. The criteria for conspiracy set up in the bill are new criteria not contained in the Constitution.

Mr. CELLER. The authors of the bill would prescribe a new kind of loyalty. It is above all, conformity—conformity of the status quo, conformity to their ideas. They would abandon evolution and progress and regard America as a finished product.

Would you say that the final word has been uttered by the gentleman from California [Mr. NIXON], or would the final word be the Supreme Court of the United States?

Mr. HOLIFIELD. In my opinion, neither the gentleman from California now addressing you, nor the gentleman who is the head of the subcommittee, can give us a final determination on the constitutionality of this measure.

Mr. CELLER. Of course I could add that "Not everyone who saith, 'Lo, the Lord' shall enter the Kingdom of Heaven." His saying something is so, does not make it so.

Does this bill provide that those with unorthodox principles shall be barred and proscribed?

Mr. HOLIFIELD. It certainly does, in my opinion, and the phraseology is so indefinite and vague that it can bring in under the judgment of the Attorney General practically any organization in the United States for proscription.

Mr. CELLER. Would you say that the passage of this bill would be a precedent for ostracism by Congress by fiat?

Mr. HOLIFIELD. Why, it is certainly a legislative fiat. The bill makes a finding of fact that there is a clear and present danger in the United States of overthrow by force and violence, when no such proof has been produced to this assemblage.

Mr. CELLER. Does this bill's so-called judicial review provide for the ordinary safeguards that we throw around an accused, for example, a trial by jury?

Mr. HOLIFIELD. Of course it does not. It provides that the Attorney General shall make a finding or a reasonable conclusion based on evidence

produced before him in his administrative capacity. There is no trial by jury.

Mr. CELLER. Is the Attorney General the judge and jury and accuser all in one?

Mr. HOLIFIELD. The Attorney General certainly functions as all three sections of our Government in the proscription of organizations.

Mr. CELLER. Does this bill provide guilt by association, a rather new note in American jurisprudence?

Mr. HOLIFIELD. Yes. Any member of an organization whose officers fail to register is thereby guilty of a crime under this bill.

Mr. CELLER. Is there a statute of limitations?

Mr. HOLIFIELD. The statute of limitations has been completely removed. If an individual has been a member of any organization which might be convicted of being a subversive organization, that member, regardless of how many years intervened after the passage of this bill, of course, would still be guilty because no statute of limitation applies to him.

Mr. CELLER. Does the bill provide for cruel punishment?

Mr. HOLIFIELD. In my opinion, the bill provides for cruel and excessive punishment in that it makes the maximum penalty of 10 years imprisonment and \$5,000 fine applicable to any violator of this act for each and every day that he fails to register providing he is an official of the organization.

Mr. CELLER. Supplementing what the gentleman from California has answered, I would say it is possible under this bill for a judge to sentence a man for 100 years or 200 years or to sentence him to pay any amount of money because for each day's violation, there is a separate crime and each separate crime can involve a penalty of \$5,000, and 5 years in jail.

Mr. McDOWELL. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield.

Mr. McDOWELL. I do not know who rehearsed most or longest but surely someone is going to win an Oscar before we get through.

Mr. CELLER. Will the bill accomplish its purposes, I ask the gentleman from California?

Mr. HOLIFIELD. In my opinion, this bill is administratively unworkable. It puts the burden of proof upon the Attorney General and his Department, which is absolutely impossible of accomplishment.

Mr. FELLOWS. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield.

Mr. FELLOWS. This drama that is being put on—it is not like Information Please, is it?

Mr. CELLER. I think we are giving very decided information to Members of the House, and the dialog which was previously put on gave considerable misinformation.

Mr. FELLOWS. This is not unrehearsed?

Mr. CELLER. This dialog I have conducted with the gentleman from California [Mr. HOLIFIELD] has not been rehearsed. It is purely spontaneous.

Mr. HOLIFIELD. We are indebted to the other two gentlemen for giving us the idea.

The CHAIRMAN. The time of the gentleman from New York [Mr. CELLER] has expired.

Mr. RANKIN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the greatest recommendation this bill has had is the opposition of the two gentlemen who just put on the Alphonse and Gaston stunt.

If you will turn to page A3111 of the Appendix of the RECORD, you will find a letter from the American Legion, in whose judgment I have infinitely more confidence than I have in the two gentlemen who just put on their show before the House.

Now, we are overlooking the amendment that is pending. The amendment is to try to take out of this bill the Communist-front organizations. Remember that communism is the best organized, the best financed subversive movement the world has ever seen. It works through Communist-front organizations.

This part of the bill which the amendment would strike out will do more to explode and dissipate these subversive fronts and protect the American people than anything else in the entire bill, in my opinion.

I just want to call the attention of the House to that fact in order that no Member may be deceived by this spurious argument that has been offered here today.

I also want to answer the statement made by the gentleman from New York [Mr. KLEIN]. He was more abusive of the British Empire today than he was of the white people of the District of Columbia in his attempt to wipe out segregation in the public schools and force Negroes into every white school in the District.

I am not an internationalist, but I say that I resent any man taking this floor and deliberately insulting a great people, such as the Scotch, the Welsh, the English, the Irish—the British, if you please, who are struggling now to maintain a front of civilization against this onward rush of atheistic communism that destroys all freedoms, all liberty, all religions, and all such governments as that which we now enjoy.

Oh, they talk about these crackpot professors. Yes, we got those letters. Practically every college in America has one of these Communist fronts, and some of these fronts are being financed by foundations.

I wonder how many of these professors who wrote that letter are on the pay roll of some of these communistic-front foundations. I found one of them was financing Hans Eisler, one of the most vicious Communists who has ever been exposed in the United States. It is about time they swapped a few professors and put some of them out practicing law, if they claim to be lawyers, or some of the agricultural professors out to farming, and get some new professors in these colleges.

Mr. EBERHARTER. Mr. Chairman, will the gentleman yield.

Mr. RANKIN. No, not just now. The worst blunder I heard made this morn-

ing was the statement of the gentleman from Pennsylvania [Mr. EBERHARTER] telling what the Senate was going to do. He said that the Senate is going to bury this bill. Where does he get that information?

He has no such information, and it is a reflection on the other body for a man to take this floor and say that the Senate of the United States will bury a bill that is designed to protect American institutions that are being undermined and destroyed by the most vicious movement the world has ever seen.

Mr. EBERHARTER. Mr. Chairman, will the gentleman yield? He mentioned my name.

Mr. RANKIN. I will yield for a question.

Mr. EBERHARTER. Has not the gentleman read the newspapers?

Mr. RANKIN. Yes.

Mr. EBERHARTER. Has he not read what the leader of the Republican Party said?

Mr. RANKIN. Oh, the gentleman does not know who the leader or the Republican leaders are. Each candidate for President seems to think he is the leader.

Mr. EBERHARTER. At least he said it could not be reached before the end of the session.

Mr. MULTER. Mr. Chairman, will the gentleman yield for a question?

Mr. RANKIN. Yes, I yield for a question.

Mr. MULTER. Do you include as a Communist-front organization the Economic Justice Commission of the Protestant Council, representing the major Protestant denominations of Brooklyn?

Mr. RANKIN. Of all people who ought to keep their mouths shut about the Protestants it is the gentleman from New York [Mr. MULTER] who admits that he represents more Jewish Communists than any other man in Congress. I mean Russian Communists.

Mr. MULTER. No Jew is a Communist.

Mr. RANKIN. Oh, yes; there are; of course, not all Jews are Communists; but my information is that 75 percent of the members of the Communist Party in this country are Yiddish and that 60 percent of them were born in foreign countries.

They have for their purpose the undermining and destroying this country. If you do not believe it go down and search the files of the FBI.

No. The gentleman from New York [Mr. MULTER] is about the last man on earth who should mention Protestantism or even Christianity in this House.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. NIXON. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 25 minutes, the last 5 minutes to be reserved to the committee.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. BUCHANAN] for 3½ minutes.

Mr. BUCHANAN. Mr. Chairman, Allan Nevins, in a recent article in the New York Times magazine section, said:

The Committee on Un-American Activities can be useful if they help guard certain areas of government, but they can be utterly pernicious if they follow the Mitchel Palmer Red-hunt tradition.

In my remarks made previously, I pointed out the salient differences between national unity after World War I and today:

If we are to have a careful policing of governmental agencies—and it is certain that those offices and departments which deal with national security must be policed—we should at least have the work done with a careful regard to all parts of our Bill of Rights. It is the fundamental charge against the Committee on Un-American Activities, not that it has acted clumsily, but that it has shown inadequate respect for the basic liberties written into our Constitution. Today even Great Britain, normally so slow to act in such matters, is purging her governmental services of Communists and their tools among the fellow travelers. But it is noteworthy that Britain has set up no body similar to our Committee on Un-American Activities.

If we grasp these facts, it is easier to approach the question, How can we deal with the dangerous Communists without hurting useful radicals and liberals? It is easier to answer because we can approach it without any sense of panic. One reason why our internal situation is so healthy is that radicals and liberals have been allowed free scope for expressing their opinions; another reason is that from 1929 onward many of their more valuable ideas were adopted and applied.

Repressive activities always defeat their own end. They arouse widespread antagonism, father the extremist doctrines at which they are aimed, and create martyrs and a martyrology—the most powerful agencies of propagandism known to history. We need not worry about the Socialists; they are the fiercest opponents of Soviet ideas. We need not worry about the utopian Communists; they can't but detest the Russian perversion of their ideals. We need not worry about the liberals, who are the bulwark of our own system.

The more freedom of opinion and discussion we have the better, for it will drive home to everyone some truths which still need enforcement. Fifteen years ago Harold J. Laski, declaring that capitalism and communism were running a race for the allegiance of the masses, stated that each had certain tests to meet. Capitalism had to remove the fear of insecurity which haunted the worker's life. It had to abolish competing imperialisms. Above all, it had to cut away the jungle growth of vested interests which impaired its efficiency and its social equity. As for communism, wrote Laski, it had to put an end to the perpetual postponement of consumption for the sake of a future which never arrived. It had to terminate the dominating grip of one party and its small cabal of leaders, introduce truly representative institutions, and permit political freedom.

While Mr. Laski thought that communism had the better prospects, we can now see that in this competitive rivalry the capitalist states have made by far the better showing. In one western democracy after another, and particularly in Britain and the United States, effective measures have been taken to remove the fear of insecurity. The power of the vested interests has been healthfully diminished. Imperialism has been almost completely abolished, and where it exists it has taken on a greatly improved character. Meanwhile, in Russia the era of consumption plenty still recedes, while the tyrannical grip of a small oligarchy of rulers has

been tightened, not relaxed. In nearly every respect in which it is possible to compare the recent development of capitalistic democracy with that of Russian communism the advantage lies manifestly with the former. These are facts which free discussion, and only free discussion, can bring forth.

Repression is an indispensable part of the Soviet regime; it is not needed in the United States and is hostile to every American tradition. Precautions against treason we may well take, and we can always punish individual violations of our statutes; but beyond that no arm of the Government can afford to go. We may well recall the words of Charles E. Hughes at a time when a sweeping attempt to deny radicals their rights simply because they were radicals had carried away the New York Assembly:

"I count it a most serious mistake to proceed, not against individuals charged with violation of the law but against masses of our citizens combined for political action, by denying them the only resource of peaceful government; that is, action by the ballot box and through duly elected representatives in legislative bodies."

If we restrict the security check to its proper and very narrow areas and elsewhere guarantee free opinion, free speech, and a free vote, we are safe.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. HESELTON].

Mr. HESELTON. Mr. Chairman, obviously in the time allotted me it is not possible to deal intelligently and fully with this particular amendment in terms of the constitutionality of this provision in the pending bill. Yesterday in all sincerity I attempted to discuss that point briefly and I included in my remarks a comment on this particular portion of the bill by one of the outstanding constitutional authorities in this country. I do not think that there is much I can add to what I said on it.

I prepared an amendment which goes further than this does, if adopted, because we would have to carry straight through the bill. I know that unfavorable action on this amendment would preclude the submission of my suggested amendment, which is now at the desk. If the pending amendment prevails, I shall present the balance of the amendment I have prepared. If not, I shall include my proposed amendment in the revision of these remarks not only because you, my colleagues, have every right to know what my full position was but because the people of my district, to whom I am responsible, have that right also. I recognize that this bill undoubtedly is going to pass by an overwhelming majority in some form. I do not intend to rest my decision in its final form on my vote alone.

I wish there were a constructive alternative that I could present because I realize that a great deal of ability and honest effort has gone into the drafting of this bill and the revision on the floor. However, I cannot remain silent when I find in this section, in my opinion, the probability and the possibility that you will pull into the dragnet organizations of decent Americans who could be and, I think, would be found to be violating the provisions of this law under any reasonable interpretation of this section.

Mr. Chairman, I have examined the bill as carefully, as honestly, and as con-

scientiously as I know how. I hope there may be other amendments offered by my colleagues, who have other ideas as to how to write in adequate safeguards that should be written in this bill. I venture the prediction that if this language remains in the bill, and if it becomes law, there is every possibility that an organization of people solely dedicated to the repeal of this law itself could, under the criteria established here, be held to be a Communist-front organization, and under the later provisions, could not send anything through the mails, could not make a speech over the radio, unless they put the tag on it that they were a Communist organization, who could and would be condemned before their fellow citizens solely because they were deeply convinced that this law should be repealed.

For my part I cannot support such a provision, and unless it is amended so that I can discharge my honest responsibilities in terms of my judgment and my convictions as to the constitutionality of this provision, I will have to vote against the bill.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. HESELTON. I yield to the gentleman from Arizona.

Mr. MURDOCK. The gentleman has expressed the very fear I have, that such indefinite language written into a criminal law is capable of terrible abuse. This is a dangerous provision in the bill, and I would favor the amendment to strike it or greatly to modify it.

Mr. HESELTON. I thank the gentleman. You and I willingly assumed an individual responsibility when we took our oath of office that we did "solemnly swear that we will support and defend the Constitution of the United States." Others of our colleagues, for whom we have the greatest respect, differ with our opinion in this matter. But we can only discharge our obligation by expressing our individual convictions and by acting accordingly.

The amendment I have at the desk is as follows:

Pages 21 and 22, strike out all of section 3 (4) beginning at page 21, line 21 with "(4)" through and including the word "movement", page 22, line 20.

Page 22, strike out all of section 3 (5) beginning at line 21 with "(4)" through and including the word "organization", page 22, line 23.

Page 27, strike out all of section 8 (b) beginning at line 12 with "(b)" through and including the word "organization", line 17.

Page 27, line 18, after "(4)" strike out "or (b)."

Page 27, line 21, after word "organization" strike out "or Communist-front organization."

Pages 27 and 28, in line 25, page 27, after word "organization" strike out words "or Communist-front organization" ending on page 28, line 1.

Page 28, line 3, after word "organization" strike out words "or a Communist-front organization, as the case may be."

Page 28, line 8, after "(a)" strike out the words "or (b)."

Page 29, line 4, strike out the words "In the case of a Communist political organization," and capitalize the word "the" in line 5.

Page 31, line 9, strike out the words "Communist political organizations and Commu-

nist-front organizations shall be listed separately in such register."

Page 34, line 8, after word "organization" strike out words "or a Communist-front organization."

Page 34, line 12, after word "organization" strike out words "or a Communist-front organization."

Page 34, line 17, after word "organization" strike out the words "or a Communist-front organization, as the case may be."

Page 34, line 24, after word "organization" strike out the words "or a Communist-front organization, as the case may be."

Page 35, line 3, after word "organization" strike out the words "or a Communist-front organization, as the case may be."

Page 36, line 18, after word "organization" strike out the words "or a Communist-front organization, as the case may be."

Page 37, line 1, after word "organization" strike out the words "or a Communist-front organization, as the case may be."

Page 37, line 10, after word "organization" strike out the words "or a Communist-front organization, as the case may be."

The CHAIRMAN. The Chair recognizes the gentleman from Rhode Island [Mr. FOGARTY].

Mr. FOGARTY. Mr. Chairman, I had not intended to speak on this bill at all, but during the past 3 or 4 days I have read the bill carefully. I have read it on three separate occasions, and I am still not convinced that it is a good bill. I agree with the gentleman from Massachusetts who has just spoken that the bill does need amending. I believe he has a good amendment, and there are others I understand are going to be offered during the course of the reading of the bill today. I hope they will be given the serious consideration they merit. I hope that during the remainder of the reading of the bill this afternoon that all of those who have the opportunity to offer amendments will be given every possible consideration, because even the sponsors of this bill will agree that it is far from perfect. Debate should not be shut off with a 1-minute speech on any amendment.

Now, it amused me to hear some of the proponents of this bill quote this or that authority. It amused me to hear the gentleman from Wisconsin quote the National Catholic Welfare Council. Why, he knows as well as I do that there is a difference of opinion there. He knows as well as I do that the National Catholic Welfare Council is governed by the bishops of this country, and they have no definite position on this bill that we are considering today. These dialogs that are going on, rehearsed or unrehearsed, are not doing any good as far as those of us who are interested in seeing a bill that might work, or having this bill amended so that it can work. There is serious doubt in some of our minds about it. Some of us who come from New England believe this is the same type of legislation that drove Roger Williams out of Massachusetts into Rhode Island over 300 years ago. From the time of the founding fathers of this country, down to this day, we can give example after example of attempts at legislation of this type. Historians accuse the France of 200 years ago of adopting the same type of control that is proposed here today. I have no more brief for communism than does the gen-

tleman from Wisconsin or the gentleman from California or any Member of this House, but I do believe that this bill is not a step in the right direction as it is presented at the present time. We are going to do more harm than good. We are going to make martyrs out of a noisy minority in this country if we pass this legislation as proposed by this committee.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. JAVITS].

Mr. JAVITS. Mr. Chairman, the House should listen to the gentlemen from New England. I had no intention of speaking on this amendment, but I could not help it after hearing the gentleman from Massachusetts. The very timber of his voice was the voice of conscience. Now, ordinarily it is said that debate does not change many votes, but when a man speaks as he does, very deeply from the heart, and with profound conviction, and considering his background, and considering the position he has taken on other measures before this House, I think that he ought to be listened to. It certainly moved me very much.

My own fundamental opposition to this bill I stated in general debate on Friday. That this bill does outlaw the Communist Party seems clear. The undesirability of this course in our own efforts to fight communism has now been confirmed by very distinguished authority. Senator TARR and Governor Dewey apparently have the same view. However, the debate whether this bill does or does not outlaw the Communist Party is an open one as between distinguished men like Governor Dewey and former Governor Stassen, with different views on it by them. I am entitled to my own opinion, and will act accordingly.

But this particular provision affects millions of innocent people who may be engaged in an activity like advocating a law for a National FEPC or any other particular social or public activity. As has been truly said, the ordinary citizen could be dragged into embarrassment under this provision and under the very effective coercion of this bill made to stay out of those organizations. I do not think the sponsors of this bill want anybody to be intimidated and I made to refrain from an activity which he considers to be socially desirable and which he desires to undertake, because of this bill.

Let me ask the gentleman from California, who is handling the bill on the floor, this question:

What is the rationale of striking out, as was done yesterday by the committee amendment, those provisions of paragraph (3)—which relate to a Communist political organization, so that if it is used as a tool by a foreign government or foreign political organization, it will not be considered a Communist political organization under this bill—but if it is actually under such control it will be—when I have not heard the committee come forward with an amendment to this particular paragraph which we are debating now to do the same thing as to other organizations? Is it not a fact that an association for Russian-American relief, say for the relief of starving children or

the victims of some catastrophe, would come specifically within the definition of a Communist-front organization under this paragraph?

Mr. NIXON. The gentleman's question can be answered in this way: The term "Communist political organization," as amended, would definitely apply to the Communist Party of the United States, unless the Communist Party should change its tactics substantially and cut its foreign ties. The purpose of the amendment was to remove the possibility that a political organization in the United States, for example, an organization like the third party, could be classed as a Communist political organization where it was being used by a foreign totalitarian power, but where it could not be said to be under the control of such foreign totalitarian power.

Mr. MARCANTONIO. If the gentleman will yield, this is the first admission we have had that this bill outlaws the Communist Party.

Mr. MURDOCK. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. MURDOCK. Mr. Chairman, without being quite sure whether the gentleman's amendment to strike out parts of section 3 will do quite what I want, I must say that I am either in favor of striking out all of section 3 or so amending it as to afford more protection to innocent persons than its loose language will afford. As I said to the gentleman from Massachusetts [Mr. HESLTON], when he offered his amendment, I think section 3 is a dangerous provision capable of terrible abuse.

I have long been distressed by the loose use of terms and of all the smearing labels that are so frequently bandied about in recent months. I have frequently been deeply hurt to hear some of the finest men and women I have ever known, prominent citizens of unquestioned patriotism and of whose loyalty there could be no doubt, branded as Communists or, what is about as bad, as fellow travelers. Sometimes the branding was not an expressed and open charge, but, rather, implied through snide remark or innuendo. Often I have heard this thing done concerning individuals or groups of individuals where there was no chance of refutation and no opportunity for even a friend to refute such unfounded accusations or innuendos.

I am not referring now to idle gossip, but I am referring to covert expressions, not a matter of public record on the part of responsible officials, but as murky indications of the thinking of certain persons in influential position. I have actually seen lists of so-called pink organizations, not for official publication, but having a pseudo-official foundation, and I have occasionally been amazed to find included organizations made up of the finest people of America, God's very elect, who have helped to lay the foundations of this Republic and who have carved a great Nation out of a vast wilderness. Sometimes I have anxiously scanned such a list to see whether the

church of my mother's faith and in which I was brought up might be included. No; I have never found that church listed, but I have found others listed, and I wonder by what authority any nitwit, overbaked superpatriot got his authority for such classification.

Unless we are far more careful in fixing our definitions in law than I can see in this bill we are going to undermine the academic freedom, the freedom of thought, the basic freedoms sought to be preserved in the Bill of Rights as an extension of the Constitution of the United States, and we can easily destroy or lose the priceless heritage of Anglo-Saxon liberty fought for and gained since A. D. 1215 and accumulated in every great charter, including our own basic law.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. EBERHARTER].

Mr. EBERHARTER. Mr. Chairman, this morning in a 1-minute speech I made the observation that the House is wasting valuable time, and that as the deadline for adjournment approaches, these three legislative days would be more and more precious. I said also in connection with that that the waste of time was because the other body had given indications that this measure would not be given any consideration there.

The main point of my observation this morning was to the effect that we will have coming before us within the next few days, perhaps, the question of a policy on the part of the United States which will affect our economy in this country and perhaps the economy of the entire world; I mean the question of the renewal of the reciprocal trade agreements program. This Congress will have to decide whether it wants to go back to a period of economic isolationism and of economic warfare among the nations of the world; or whether we want to continue the policy of the reciprocal trade agreements. I was attacked for that statement. It was said that I insulted the other body. I want it distinctly understood that I had no intention of insulting the other body. I intended to compliment the other body, because they are entitled to complimentary remarks from Members of this House if they indicate that they will not consider a measure of this doubtful constitutionality, and this attempt to control the thought of the people of this country.

The chairman of the steering committee of the other body has indicated in public releases that that body has no time to consider a measure of this sort.

Mr. MACKINNON. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. MACKINNON. Mr. Chairman, I make the point of order that it is out of order for the gentleman to refer to action that might be taken in the other body. This House is an independent body, and we are not influenced by the possibility or lack of possibility that the Senate might take certain action.

The CHAIRMAN. The point of order is well taken. The gentleman will proceed in order.

Mr. EBERHARTER. Mr. Chairman, I would like to be heard on the point of order.

The CHAIRMAN. The Chair will withhold the ruling on the point of order if the gentleman from Pennsylvania desires to be heard on it.

Mr. EBERHARTER. Mr. Chairman, it is my understanding under the rules of the House that a Member of the House is not permitted to refer to the Senate of the United States and is not permitted to refer to any Senator by name. However, it is my understanding, and I think it has been so ruled on many occasions, that it is perfectly within the rules of the House to refer to the other branch of the Congress as "the other Body." I did not mention the word "Senate," Mr. Chairman, nor did I mention the name of any Senator. I submit that the point of order is not well taken, and I hope the Chairman will so rule.

The CHAIRMAN. The Chair calls attention to Jefferson's Manual, paragraph 371, which reads as follows:

It is a breach of order in debate to notice what has been said on the same subject in the other House, or the particular votes or majorities on it there; because the opinion of each House should be left to its own independence, not to be influenced by the proceedings of the other; and the quoting them might beget reflections leading to a misunderstanding between the two Houses.

The gentleman from Pennsylvania may proceed in order.

Mr. EBERHARTER. Mr. Chairman, may I proceed a little further?

The CHAIRMAN. The Chair has ruled on the point of order, and the gentleman may proceed in order.

Mr. EBERHARTER. Mr. Chairman, I made mention in my remarks that a public release was made, and I could refer also to the Official Reporter's notes to show that I never said anything that was said in the other body and never mentioned any Senator's name. I did not mention the Senate of the United States. On that, Mr. Chairman, I rest my case.

Mr. FOGARTY. Mr. Chairman, will the gentleman yield?

Mr. EBERHARTER. I yield.
Mr. FOGARTY. As I understand it, you were talking about a debate that took place on the radio last night, and the report in a newspaper this morning.

Mr. EBERHARTER. I was referring to public statements not made on the floor of the Congress of the United States, and in confirmation of that, I will refer to the official stenographic reports.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota [Mr. MACKINNON].

COMMUNIST-FRONT ORGANIZATIONS

Mr. MACKINNON. Mr. Chairman, the proposed amendment seeks to strike out the definition of Communist-front organization. To a certain extent, that is the most vital part of the bill because the Communists claim that for every one actual member of the party, there are 10 persons who are what have come to be known as fellow travelers and who are ready to further Communist aims. This group works through Communist-

front organizations. Regardless of what action the House might take, it is perfectly foolhardy to strike out the definition. There have been a number of claims made with respect to this bill, as to what it does and what it does not do. If you are so concerned, you need not be concerned about the definition, because it is accurate. But turn to section 10 to see what the penalties are. There it is stated that it shall be unlawful for any individual to become or remain a member of a Communist political organization, knowing or believing or having reasonable grounds for knowing or believing that it is a Communist political organization. That is the essence of the offense. They have to know it, and they have to have reasonable grounds to know it. That is the gist of the offense. Then there is this talk about guilt by association. That runs far wide of the mark. It runs far wide of what is actually in the bill. Those charged must actually know or have reasonable grounds of knowing that the organization is subject to the control of a foreign power.

I believe it is essential in this debate that we look to see what is in the bill, because some remarks have been made by people in the House and outside the House who have apparently not examined the bill.

LOUIS WALDMAN, GENERAL COUNSEL, UHCMWIU, AMERICAN FEDERATION OF LABOR

Today there appeared in the New York Times a statement by Louis Waldman, general counsel of the United Hatters, Cap, and Millinery Workers' International Union, A. F. of L. I think that is of importance, because it might possibly indicate the position of the American Federation of Labor or of this A. F. of L. union, with respect to this particular legislation. This man is general counsel, schooled in the law, a labor lawyer, with many years of experience.

He says:

I have read the Mundt bill carefully.

Now, that puts him in a different category than some people who are commenting on this bill.

I read further:

And in my opinion, one thing is certain about it. There is nothing in the Mundt bill that will affect the labor movement adversely or prejudice its rights in any way. All talk about this bill being antilabor is just so much nonsense, unless you believe that to be anti-Communist is to be anti-labor.

Now, what an individual states a bill does is not necessarily conclusive, but this man said that he had read the bill, and that puts him in a different category than other people who have commented about what this bill does or does not do. On that ground alone, his statement is significant.

The CHAIRMAN. The time of the gentleman from Minnesota [Mr. MACKINNON] has expired.

The gentleman from California [Mr. NIXON] is recognized for 5 minutes.

Mr. NIXON. Mr. Chairman, the committee is confronted at this time with an amendment which would strike out the definition of "Communist-front organizations."

The amendment has been offered on the ground that by having such a definition in the bill we are going to run the risk of having a mass witch hunt in the United States, with innocent people being smeared and sent to jail because they happen to be members of a Communist-front organization.

In considering this problem I want to analyze it very carefully, having in mind the situation as it is today and as it would be under the bill.

What is the situation today in regard to Communist-front organizations? As all Members of this House know, the Attorney General from time to time issues a list of organizations which he designates as subversive. There are no particular standards for determining whether or not these organizations are subversive, no standards which have been laid down by the Congress. No hearings are held by the Attorney General, at which that organization is permitted to come in and present its side of the case. Hearings are held *ex parte*, star chamber, without any opportunity for the accused organization to be heard.

As a result of these lists which are published from time to time, the organizations which are listed as subversive and the members of those organizations are stigmatized without having any opportunity to present their side of the case.

The point I want to bring home, insofar as this bill is concerned, is that the definition of "Communist-front organizations," which we have written into the bill is a very strict definition. Let us read it carefully. We must find either one of three things. One, that the organization is under the control of the Communist Party assuming that the Communist Party were found to be a Communist political organization under the bill.

Or, two, that it is primarily operated for the purpose of giving aid and support to the Communist Party.

Or, three, that its views and policies are, in general—not now and then, but in general—adopted and advanced because such views or policies are those of the Communist Party.

Let me point particularly to the last clause, because that is the one about which several Members have expressed concern. It is necessary to show, not simply that the views and policies of the organization happen to be the same in all cases as those of the Communist Party, but there is an element of intent required here. The views must have been advanced because such views were the same as those of the Communist Party or, in other words, in order to support the Communist Party.

I submit that enactment of this measure will clear the air in the United States as it must be cleared in determining what organizations are or are not subversive. I, for one, do not like the present confused situation in which the Attorney General, the Committee on Un-American Activities of this House and the Committees on Un-American Activities of the various State Legislatures, and even private organizations de-

clare: "This organization is a Communist-front organization; that organization is a Communist-front organization" and no definite standard is laid down for determining what constitutes a Communist-front organization.

This bill represents a great improvement over the present confused situation; it is a landmark in this field. For the first time Congress will in effect state that an organization should not be classed as a Communist front and subversive unless it is controlled by the Communist Party, which means in effect that it must be controlled indirectly by a foreign Communist government or foreign Communist political organization. It is the element of foreign control which, in the final analysis, is essential in this definition.

So I say that those of you who are honestly interested in this problem, who honestly do not want to see organizations smeared, who honestly want to see this situation clarified, cannot in good conscience support this amendment and cannot, in good conscience, vote against this bill because only by adopting this bill are we going to clear the air and get away from indiscriminate name calling in this field. This bill, in effect, will for the first time establish real legislative standards for determining the character of subversive organizations and will provide greatly needed safeguards in the way of open hearings, cross-examination, and court review for accused organizations.

The CHAIRMAN. The time of the gentleman from California has expired; all time has expired.

The question is on the amendment offered by the gentleman from New York [Mr. MÜLLER].

The amendment was rejected.

Mr. HOLIFIELD. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HOLIFIELD: Page 19, strike out line 7 and all of section 3, and insert in lieu thereof the following:

"Sec. 3. The Attorney General is hereby authorized and directed to prepare and submit to the Congress—

"(1) a detailed report of efforts by the Department of Justice to enforce—

"(A) the act of June 8, 1938, entitled 'An act to require the registration of certain persons employed by agencies to disseminate propaganda in the United States, and for other purposes';

"(B) the Alien Registration Act, 1940; and

"(C) the act of October 17, 1940, entitled 'An act to require the registration of certain organizations within the United States, and for other purposes.'"

"(D) and any other laws having the same purport and effect.

"(2) specific and detailed recommendations as to what additional legislation is needed to bring about the complete exposure of all activities looking toward the creation in the United States of a totalitarian system; and

"(3) specific and detailed recommendations with respect to strengthening each of the laws specified in paragraph (1) for the purpose of protecting the United States against the activities of those working toward the establishment of a totalitarian system of government in the United States.

"As used in this section, the term 'totalitarian system' shall include any Communist

or Fascist system whether it be under foreign or domestic sponsorship, management, direction, or supervision."

Mr. HOLIFIELD. Mr. Chairman, this is the crux of the situation as far as I can see, as to whether the Members who want to proceed in a constitutional method, and wish in an orderly method to obtain a disclosure of subversive organizations, and to put the Attorney General in the position where he and he alone has the responsibility for telling the Congress of the United States what legislation he deems necessary for the enforcement of laws to protect the Government of the United States.

Mr. Chairman, I have offered this amendment in a constructive effort to assist the Attorney General in the identification and prosecution of the enemies of our country, whether they be controlled and directed by foreign sources, or under the sponsorship of native totalitarian groups.

The amendment is in the form of a congressional directive to the Attorney General to do certain things:

First. Study and submit to Congress a report on his experience with present laws in the field of subversive activities.

Second. To recommend to Congress amendments, which, as a result of his experience and responsibility, would be of value to him in protecting our country against its enemies.

Third. If additional legislation is needed, the Attorney General is directed to submit a draft of such legislation to Congress for legislative action.

Now, let us explore the logic of this approach. The Attorney General has the responsibility of identifying clandestine operations of a subversive nature through the work of the Federal Bureau of Investigation. He has the responsibility of prosecuting in the Federal courts all indicted cases. He has, with the expert lawyers in his Department, accumulated through years of experience in the prosecution of innumerable cases the knowledge of the coverage of the existing laws. If directed by Congress, as he would be if my amendment is adopted, I am sure that his Department could furnish us a draft of amendments needed to the 27 existing laws, and if additional legislation is needed.

This is an orderly way to proceed on this important legislative subject. It has ample precedent, as the members of every committee know. A functioning department of Government frequently proffers such drafts on the invitation of a committee chairman for the committee's consideration of problems under legislative consideration.

Important facts to remember are these: While the general subject of subversive legislation has been given long and, in my opinion, earnest consideration by my colleague, the gentleman from California [Mr. NIXON] and his subcommittee members:

First. No draft of legislation has been given to his committee by the Attorney General.

Second. As far as I know, no opinion has been received by the committee on the workability of H. R. 5852.

No report has been received from the Solicitor General or from the Bureau of the Budget on H. R. 5852.

Mr. Chairman, the Attorney General in his testimony before the subcommittee made some specific recommendations in which he asked for specific strengthening by amendment of the McCormack Act, the Voorhis Act, and other legislation now on the statute books.

On page 24, paragraph No. 5, Mr. Clark stated that the Justice Department and other departments of Government are now engaged in preparing a recommendation to Congress for the passage of legislation strengthening the Espionage Act.

With the amendments suggested and the draft of legislation mentioned, the Attorney General said, and I quote:

I can assure you that the intelligence agencies of your Government are very much on the job. The FBI, being charged with the internal security, takes the most active interest in this field. It is conducting continuous investigations on subversive activities.

And I might point out that in view of the above statement by Attorney General Clark, who is charged with the internal security of our country, that he would be derelict in his duty and subject to impeachment, if in his opinion a "clear and present danger" to the security of the United States existed and he failed to certify to the Congress the peril which would exist under such condition.

Mr. Chairman, I ask serious consideration of my amendment.

Mr. LEMKE. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, our Nation is in a dilemma. It is all tangled up in the poisonous tentacles of two octopuses. One is the Wall Street internationalists whose poisonous tentacles are entwined in some Cabinet positions. These are giving away, for a profit, America's resources that belong to unborn generations.

They are for conscription and universal military training. This so that American youth can the more quicker defend their ill-gotten loot throughout the world. Some of this loot has the peculiar smell of petroleum.

On the other hand, we have the Communists whose poisonous tentacles extend into our schools, our churches, and governmental departments. These work underground, and like a mole only stick their heads out occasionally. They poison the minds of our youth, through some unwitting victims in our churches, schools, and colleges.

How to get rid of these two evils—internationalism and communism—is a serious problem. They are both equally dangerous to our form of government. They are both equally dangerous to the common welfare of our people. Both will destroy our Nation if we permit them to.

The Mundt-Nixon bill is not the answer. It is not a remedy. This is a case where the proposed cure is worse than the disease. This bill is similar to others that Congress recently passed that are not compatible with our form of government. You cannot kill un-

Americanism with an un-American law. This bill would simply add one more un-American law to 27 unenforceable existing laws.

This bill violates the Constitution, and permit me to state it does violence to the intelligence of this Congress. It is brought in here for political purposes and will have political repercussions. It will not weaken communism, but if anything, strengthen it. It will drive them deeper underground.

Let us stop and think before we enact this kind of legislation—legislation that aims at the very heart of our liberty. You may camouflage all you wish to, but this bill is in violation of the Declaration of Independence and our Constitution. The framers of our Constitution were revolutionists. They cast off the yoke of Great Britain and they believed in freedom of thought without hamstrings.

The other night as I listened to the discussion between Governor Dewey and former Governor Stassen on communism, I could not help but feel that the Governor of New York had the better of the argument.

I could not quite understand the position of the former Governor of Minnesota. In 1943, in an article in the Saturday Evening Post he advocated that we surrender part of our national sovereignty to a world government. Later, like Wallace, he sojourned in Russia and came back with praise for Stalin.

Then he advocated that we give 10 percent of our national income each year to foreign nations. As late as 1946, over the radio, on more than one occasion, he stated that nationalism was dead. In other words, that our Nation as such was dead. He was then an extreme internationalist, but the other night, apparently for political reasons, he had become an extreme nationalist—a Republican nationalist that would outlaw thought ideologies. To say the least, the desire for office—ambition—makes strange companions.

I disagreed with the former Governor when he was a one-worlder, and I disagree with him now when he has become such an extreme nationalist that, by law, he would attempt to prevent Americans from thinking as they please; thus, destroying our form of Government of, for, and by the people.

I believe that the Governor of New York is better informed on historical events than the former Governor of Minnesota. History ought to teach us the lesson that whenever we begin outlawing freedom of speech and outlawing ideas—ideologies—we are destroying liberty. You cannot stop a person from thinking by passing a law. The way to get rid of communism is to bring it out into the open and turn on the white light of publicity.

In place of wasting our time with this kind of nickel-in-the-slot peanut politics, let us educate and show our people what communism, as practiced by Russia and its satellites, really is. Let us show them that 3 percent in Russia live just as well or better than our industrialists do, while 80 percent wear burlap for shoes and some wear burlap for underwear.

Let us show our people that a majority of the 80 percent have not had a bath for 5 years because there is no opportunity to get one. Let us show them that from two to three families still live in one home. Let us show them that while 3 percent are wine and dine and have 7-course dinners served on silver trays, 80 percent still eat dark bread and vegetables with occasionally a little piece of meat or fish.

Let us show our people that for this scant existence they dare not read or say what they think. They may criticize anyone who is lower in the gutter than they are, but never a whisper about anyone above. There is no opportunity for free expression or honest discussion as to their own or their nation's welfare.

Let us show our people that the 3-percenters hold, in the hollow of their hands, the lives, the liberty, and the miserable existence of the other 97 percent. Let us show them that if, by chance, you criticize any one of the 3-percenters then you will be booked for liquidation or Siberia. Let us show them that Russia still has millions of war prisoners in human slavery.

Let us throw up the blinds and let in the white light of publicity on how the great majority of the Russian people fare. Then anyone who wants to be a Communist ought to see a psychiatrist. Let us make our own standard of living, and our own Government so superior to communism that only a mental defective would want to be a Communist.

In the United States, Communists may be divided into three classes. There are those who are Communists for revenue only. They make a living out of it. These are for sale, and will support any organization that gives them a living.

Then there is the group that hope they will be the three percenters. They are the ones that wish to liquidate the rest of us who do not agree with them. They are the ones that hope to govern the rest of us with gun and bayonet. They hope to be the liquidators.

Then there are the innocent victims of communism, that wish to build a better world. They have the idealistic picture of communism, a society where all are equal. They do not know what the conditions are in Russia. They do not know that thousands have been liquidated in Russia and in her satellites since the war. If they did, they would be the first to repudiate the Russian kind of communism. These innocent victims we need not fear. All we have to do to convince them that they are traveling the wrong road is to present the actual facts as they exist in Russia today.

In conclusion, may I warn you that there are other dangers that confront us besides Communists. The international gang that is depleting our Nation of its natural resources for a profit is just as dangerous to our future well-being as the Communists. Let us get rid of both of these elements by merciless publicity.

The way to get rid of communism is for all branches of our Government to again observe the Constitution—the Constitution that protects minorities and the unfortunate from unwarranted persecution in the name of prosecution.

Give to the farmer cost of production for that part of his products domestically consumed, give to common labor a living annual wage and abolish slums, then we will get rid of Communists. Let us establish an economic floor below which no human being is permitted to fall. Let us provide employment assurance rather than unemployment insurance. Then communism and internationalism will have lost their charm.

Mr. RANKIN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this measure was gone over time and time again by some of the best constitutional lawyers in America. There is no question as to its constitutionality. I call attention to the fact that not a single Member who is here opposing this bill or supporting this amendment has ever come before the Committee on Un-American Activities and urged us to work out a bill that would protect this country against these subversive activities.

They take up a great deal of time talking about the innocent people this measure would punish. The trouble is that a lot of innocent people have been taken in by these Communist-front organizations that would not have joined them if they had known what was behind them. This affords publicity, and enables these people to learn just what kind of an organization they are dealing with.

The Communist Party did not move into Poland en masse; it moved in through the Communist fronts. The first thing the people of Poland knew, their government was taken over and they were reduced to slavery.

The Communists moved into Czechoslovakia in the same way, through the same Communist-front organizations that they are attempting to use in this country. They moved into Yugoslavia in the same way.

Today they are using the same fronts in order to try to take over Greece.

If this amendment is voted down, which I am sure it will be, and if this bill is passed, this part of the bill which they are attempting to emasculate will do more to stop the spread of communism under a disguise, under a false face, under false pretenses, under fraud and misrepresentation, than anything else contained in the bill. For that reason I sincerely trust that the amendment will be voted down unanimously.

Mr. HUBER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am as anxious as any Member of this House to stamp out communism. This bill will be bad enough if the amendment of the gentleman from California prevails, but if it is approved, I and many of the other Members of this body can support the bill.

We hear all this hysteria about communism. I wonder how we expect to abolish it by legislation. Can we stamp out an idea by burning the books? Can we do it by killing the people?

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. HUBER. I yield to the gentleman from California.

Mr. HOLIFIELD. Is it not a fact that in Poland, in place of the Communist-

front organizations taking over, the Russian Army took over; and in Czechoslovakia and Yugoslavia the Communist Party by military action took over, not Communist-front organizations for the Communist Party? That is a matter of military history.

Mr. HUBER. I thank the gentleman for the observation.

If we were to execute all the Communists in the United States tomorrow morning at sunrise, would we wipe out communism? Of course not. If we will put our economy in order and try to bring about a decent economy for the people of this country, we will do more to stamp out communism than by enacting the Mundt bill.

I notice the tirades of the gentleman from Mississippi against the gentlemen from New York [Mr. MULTER and Mr. KLEN], and the reference to Jews. I have never known a Jew or a Catholic or a Protestant that was a Communist.

In that connection, I think we might stamp out the segregation that exists in the District of Columbia. I recall the recent news item about the three little colored boys whose white companions put off their visit to Washington because of existing racial injustices.

It is shocking to me that these little colored boys were denied the privilege of visiting Washington. While it is regrettable that northern and southern cities practice segregation, our National Capital is neither North nor South. Surely this seat of government should be immune from regulations that would deny American children the right to visit the historic shrines in this city bearing the name of the father of our country. I sometimes wonder how we were ever able to dedicate the Tomb of the Unknown Soldier without an investigation to determine the race of the gallant lad whose identity is known but to God, and who is interred there forever within sight of the monuments of Washington, Jefferson, and Lincoln.

I think we should probably give a little more thought to matters of this kind, and I believe if we did, we would be making more progress than by indulging in this continual hysteria by trying to outlaw all those with whom we do not agree.

Mr. OWENS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, there appears in my opinion to be a bit of misunderstanding about section 3. The other day when I explained the division of the bill during debate and showed that sections 2 and 4 went together, I also showed that the balance of the bill had a certain coordination. There is a world of difference between the definition of a Communist political organization and a Communist-front organization. A Communist-front organization, upon examination of the bill, does not carry with it a penalty on the individual. The first time anything happens with respect to him is when the Attorney General sends him a notice that his name has been listed as a member of a Communist-front organization. At that time, if it is a mistake, he can say it is a mistake, and that his name should not be there. If he finds for the first time that he is a member of a Com-

unist-front organization, he can say, "I do not want to belong to it," and resign. The first time that any penalty applies to him is when he might refuse to reply, or if he files an affidavit and tells a falsehood. Therefore you do not have to worry about that section. On the other hand, we have to be a bit more careful about this section so far as the Communist political organization is concerned, because there are certain penalties against any person who asks for employment and who knows he is a member of such an organization, or any officer or employee of the Government who knowing that the applicant is a member of the organization—of course, "knowing and believing" is there, but I am going to move to strike out the words "believing or knowing or having reasonable cause to believe," and so forth, because I believe they are surplusage—but knowing that that man is a Communist, or where a man applies for a passport knowing that he is a member of a Communist political organization, or an employee or officer issues the passport to him knowing that the applicant is a member, then you have a slightly different proposition. For that reason, I am going to offer an amendment to strike out two certain subparagraphs with reference to the definition of a Communist political organization which I think will help perfect the bill. Insofar as the amendment offered by the gentleman from California [Mr. HOLIFIELD] is concerned, he is merely asking us to trust a man who for the last 8 years has done nothing whatsoever with the laws that are on the books. It is true that there have been some strong laws on the books, but nothing has been done with them, and I do not believe any suggestions from him as to what could be added to it would be of any aid. As I said to the gentleman from Illinois [Mr. VAIL] the other day when he was criticizing the Attorney General for charging the Committee on Un-American Activities with having stolen certain documents, I said, "How can you trust this gentleman to whom you give so much power in this bill? How are you going to believe him when he has been faithless to his trust up to date?" For that reason, I believe that we in the House here should pass our legislation and not depend upon getting it from the Attorney General.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. OWENS. I yield.

Mr. HOLIFIELD. Of course, my amendment asks the Attorney General to prepare a draft. He is directed by the Congress to prepare a draft of suitable legislation, which Congress would then act on in its wisdom and either accept it or turn it down. But using the gentleman's own argument, if we cannot depend upon the Attorney General to prosecute the laws, how can you depend upon future Attorneys General to execute even more vague and indefinite phraseology?

Mr. OWENS. I admit that the prior laws could be amended if they were carefully amended. I agree with the gentleman's statement that that might be done. But I have given this bill a very careful examination. I was one

who said it would have to be amended before I could vote for it. I must say that the Committee on Un-American Activities has been certainly cooperative. There were four amendments offered yesterday; three of them passed. Two were amendments which I offered on the floor and one which I offered in the committee. I have about five or six others which I hope the committee will accept; in fact, the committee has indicated that the amendments which I tendered them, to which I have just referred, will be offered in toto by the committee. If all of the references to believing, or having reasonable cause for knowing or believing, which are included in several sections of the bill, are deleted, it will go far toward making the measure one which can be readily acceptable to the vast majority of the Members of the House.

Therefore, the committee has been very cooperative. It appears to me that those who have been opposing the measure, when they are asked the question, "Are you for the bill?" have said: "Well, we want public housing; we want social medicine; we want price control," and so forth. If they get all those things we will have communism right here in America and our present efforts will be useless. For that reason, I am going to suggest some amendments which I think will take care of section 3.

I believe the present amendment should be rejected.

The CHAIRMAN. The time of the gentleman from Illinois [Mr. OWENS], has expired.

Mr. NIXON. Mr. Chairman, I wonder if we can get some agreement as to time for debate on this amendment.

I ask unanimous consent that all debate on this amendment and amendments thereto close in 20 minutes, with the last 5 minutes for the committee.

The CHAIRMAN. Is there objection to the request of the gentleman from California [Mr. NIXON]?

There was no objection.

Mr. KELLEY. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. KELLEY. Mr. Chairman, it is striking evidence of the inconsistency of this Congress that, with only a short time left to us before adjournment, we should spend three legislative days on a bill to search out a few Communists and subversive groups while a host of legislation which can insure us against the spread of communism and other alien ideologies lies unattended.

If we want to act against communism, we should do so positively by enacting legislation which can make this country impregnable to communistic or other inroads. Such doctrines are nourished on fear, discontent, and insecurity, and we can fight them by guaranteeing our people a decent standard of living, equality of opportunity and education, and security in old age. There are bills in both Houses to do all of these things, but they are being put aside. With the crying housing shortage throughout the country,

the Taft-Ellender-Wagner bill has been inexcusably delayed in the House. The Federal aid to education bill passed the Senate almost 2 months ago, and yet there is no prospect of House action. The President's repeated plea for constructive inflation controls had been blandly ignored, although there is not one of us who has not been affected by high living costs. The Fair Labor Standards Act is out of date and inadequate and the minimum wage rate far too low, but no move has been made toward its improvement. Most shameful of all is the neglect of the revision of the Social Security Act, despite the virtually unanimous recommendations for expansion of the system and increase in benefits by the Advisory Council on Social Security set up by the Senate Finance Committee. The pressing need for this revision, now, cannot be overemphasized.

I have mentioned only some of the proposals which should be enacted, but they are major ones and their passage would go farther in the fight against communism than all the restrictive measures in the world.

The CHAIRMAN. The Chair recognizes the gentleman from Rhode Island [Mr. FOGARTY].

Mr. FOGARTY. Mr. Chairman, I rise in favor of the amendment offered by my colleague from California [Mr. HOLIFIELD].

In my opinion, this amendment makes sense. If it is adopted by the Committee, I will vote for the bill.

By directing the Attorney General to bring to the committee of this House the amendments that he believes are necessary to enforce existing laws on the statute books at this time to bring about the same thing we all want brought about, I think we have a sensible approach to this entire problem.

When the gentleman from Mississippi [Mr. RANKIN] was before the House a few minutes ago he said that those who are opposing this type of legislation have never appeared before the Committee on Un-American Activities to offer any amendments or any type of legislation to deal with this problem.

Mr. Chairman, there are many, including myself, who are opposed to communism in every form, but who thought it useless to appear before such a committee. I, for one, have voted against every appropriation that has been made for this committee. I believe, and I sincerely believe, that they have done more harm than they have done good. Thousands of persons have been unjustly accused of being Communists as a result of some of the activities of this committee. They were accused of being members of these so-called Communist-front organizations. We have had that same problem in the House when some of our employees in government, because they happened to join some organization they believed was truly liberal, have been branded as Communists or fellow travelers, even though they have dropped their membership as soon as they learned the organization was not what they had believed. Many an honest person has been harmed by this committee by being publicized as a Communist

when the charge did not square with the facts.

Now, the gentleman from Mississippi goes on to talk about Yugoslavia and Poland, and Hungary, and all these other countries that are under the control of Russia at this time, saying that they were taken over by Communist-front organizations. That is not so. Marshal Tito, who has direct control of Yugoslavia today, was imprisoned for 10 or 15 years. Yet he and the Communist Party took over control of Yugoslavia. The Russian Army took over control in Poland. In Rumania the Communist leader there was in jail for 10 or 15 years, but he thrived and led his Red minions to control of the country.

If we want to rush through this type of legislation, accusing people out of hand and putting them in jail, we might have the same conditions here eventually. If they put these people in jail, they will scream about martyrdom and they will attract sympathizers. These will burrow further underground, and one day we might have the same conditions that exist in Yugoslavia, Hungary, Czechoslovakia, Poland, and every other satellite country of Russia in Europe today.

Mr. Chairman, I hope that the amendment offered by my colleague the gentleman from California [Mr. HOLIFIELD] will be adopted. If it is I will support the bill.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota [Mr. BLATNIK].

Mr. BLATNIK. Mr. Chairman, I join my colleague from Rhode Island in support of the Holifield amendment. This is the first constructive proposal that has been submitted to us on this Mundt bill since we began its consideration.

Charges were made on this floor yesterday by the majority leader and members of the Un-American Activities Committee, proponents of this measure, that those on our side of the aisle had nothing but criticism to offer in the consideration of this measure. I say that a comparison between the constructive, the concrete, the sound amendment offered by the gentleman from California [Mr. HOLIFIELD] with the vague, indefinite, negative proposals of the Mundt bill, stand in as sharp contrast as do night and day.

Mr. Chairman, I urge the adoption of this amendment which asks the Attorney General, and those in his Department who for years have been engaging in enforcing the 27 measures now on our statute books, to report to Congress on deficiencies in present laws, with recommendation for tightening them up. These men know far better all the ramifications of the entire field which we are considering than anyone here in the House. They know the strong points and the weaknesses of the present laws, and are in a position to make a comprehensive report on how these 27 laws have been effective and where they have failed; and they can thereby give us specific recommendations for our consideration on what additional legislation is necessary.

I wish to make it clear, and I am sure the proponents of this measure will ad-

mit it, that the Department of Justice and the Attorney General did not approve the Mundt bill. The Attorney General did admit that there were weaknesses in existing law which ought to be strengthened, and the Justice Department is now engaged in a thorough research and can be ready to submit recommendations in a short while.

I urge the committee to adopt the Holifield amendment.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. BLATNIK. I yield.

Mr. HOLIFIELD. I wish to point out also that my amendment will take into consideration the subject of native fascism which it not taken care of in the committee bill, or native totalitarian organizations which are not taken care of in the bill as such.

I wish to point out that in Italy, in Germany, and in Russia internal totalitarian governments took over those different nations, not external foreign governments of different ideological persuasion, but internal ideological totalitarian governments took over Russia, Italy, and Germany. I therefore say that such dangers should also be taken care of, and my amendment would take care of them.

Mr. BLATNIK. I absolutely agree with the gentleman.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. MULTER].

Mr. MULTER. Mr. Chairman, when the gentleman from Mississippi [Mr. RANKIN] addressed the House a few moments ago he raised the question as to who represented who and the nature and complexion of the representation. I was elected to this House at a special election, which brings out fewer voters than ordinarily, by more votes cast for me than were cast for all the seven gentlemen elected in the entire State of Mississippi in 1946. The complexion of my district embraces every type of personality, political view, and religion. While I do not embrace Protestantism, I do embrace that concept found in the New Testament wherein Jesus says: "All sins are forgiven unto all the sons of men."

So I, too, forgive the gentleman from Mississippi when he accuses all Jews of being Communists as one of his arguments in favor of support for this bill and in opposition to the various constructive amendments that have been offered here.

Mr. RANKIN. Will the gentleman yield? I made no such statement.

Mr. MULTER. Mr. Chairman, I want to quote what the Episcopal bishop of Long Island, the Right Reverend James Pervette DeWolfe, said as follows:

Only a realistic practice of democracy can overcome communism, and a true application of democratic life would eliminate racial barriers. We cannot overcome communism unless we make our way of life more effective through a realistic practice of democracy. The trouble with the world is not politics or economics, but rather spiritual sickness.

Speaking, if you please, for the major Protestant denominations in Brooklyn, the Economic Justice Commission of the

Protestant Council, which cannot by any stretch of the imagination be labeled as a Communist-front organization nor is it in any way affiliated with communism, had the following to say about this very bill, and this resolution was not adopted at any meeting where those who were in favor of the bill were prevented from speaking:

Its enactment would hamper the freedom and rights of loyal citizens and interfere with the basic right of free discussion. Finally, it would, by driving underground, make dangerous the forces it alleges to control.

The gentlemen who are urging support of this bill are not serious about looking for amendments that may improve it when they oppose this amendment offered by the gentleman from California [Mr. HOLIFIELD].

Mr. EBERHARTER. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from Pennsylvania.

Mr. EBERHARTER. May I say that I did want time to speak on this amendment because I think it is a constructive approach to the problem, that it will accomplish the purpose which the committee originally had in mind. If the amendment is agreed to I will vote for the bill on final passage. I believe the committee would do a service to the country if it would accept the amendment offered by the gentleman from California [Mr. HOLIFIELD].

Mr. MULTER. Mr. Chairman, when so much debate is given to name-calling, indicating that some of my colleagues intend to vote by labels, let me ask you to ponder this question. When the gentleman from New York [Mr. MARCANTONIO], the gentleman from Mississippi [Mr. RANKIN], and I find ourselves voting together in favor of rural electrification or some other measure of that type, are we, if you please, fascist—Communists, or comic Fascists?

The gentleman from Mississippi [Mr. RANKIN] took exception to my comment about his reference to Communists. His precise language was:

Of all people who ought to keep their mouths shut about the Protestants, it is the gentleman from New York [Mr. MULTER], who admits that he represents more Jewish Communists than any other man in Congress. I mean Russian Communists.

I never made any such admission. I have consistently urged, and the record bears me out, that no one who believes in God, Jew or Christian, can be a Communist. He who espouses communism can do so only if he leaves his God and denounces his religion.

Mr. ROONEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROONEY. Mr. Chairman, if the gentleman from Mississippi [Mr. RANKIN] made the remarks just mentioned by my distinguished friend and colleague of the New York delegation [Mr. MULTER] contending that all Jews are Communists or any such intimation I want

this House to know that I resent it with all the vehemence at my command. The colloquy must have occurred a while ago when I was called from the Chamber to the Democratic cloakroom to answer a telephone call. I want the gentleman from Mississippi and the Members of this body to know I am acquainted with a very great number of the people of Mr. MULTER's district and you certainly will not find any better Americans in Mississippi or any part of the United States.

Mr. MUNDT. Mr. Chairman, I rise in opposition to the Holifield amendment and shall not take the full time allotted me because I think the membership of the House is desirous of getting on with the voting stages of this bill. We have been talking, talking, and talking for a long time. The time has come to enact this legislation into law.

I do want to straighten out the record on two points, however. In the first place, the Attorney General, to whom this killer amendment proposes now to refer the whole matter, vacating and delegating the authority of Congress to the executive department which I am convinced this Congress is never going to do, has had his day and his say on this legislation at great length. In these hearings which were held he specifically spelled out the kind of amendments that he thought should be made by the Committee on Un-American Activities in order to make this legislation effective, and we have meticulously and carefully followed his recommendation. We have plugged up the loopholes that he suggested and we have written legislation which in addition to that writes into the bill the experience of the FBI as well as the experience of the best authorities in America who have been wrestling and tussling with this difficult problem for more than 10 years. Obviously the Holifield amendment is just another one of those efforts to kill the legislation; simply an indirect attempt to do what opponents of anticommunism legislation know they cannot do directly.

Mr. Chairman, I ask that the amendment be defeated and that we go on with the bill.

Mr. PETERSON. Mr. Chairman, will the gentleman yield?

Mr. MUNDT. I yield to the gentleman from Florida.

Mr. PETERSON. The Attorney General recommended certain specific things with reference to registration. He also recommended, among other things, the complete elimination of subversive persons in Government positions. We had the rather complete testimony which he gave when we drafted this bill; did we not?

Mr. MUNDT. The gentleman is absolutely correct. Not only did he appear as the second witness in these hearings and present testimony on the problem which confronted the committee, but in the various stages through which this bill passed I sent copies of the legislation to the Attorney General, and he wrote back and even sent his colleagues up to consult with me. We said to him that if there is anything to which he specifically objected, to tell us what he had to recommend, and it is very eloquent testimony

that the Attorney General has not made any objection to this legislation. It does follow the general line and pattern that he laid down, and it is an effort on the part of the Congress to enact the will of the people of this country. Such an amendment as offered by the gentleman from California simply vitiates the authority of Congress by saying we are unable to act; let the Attorney General tell us what to do. That is not the theory of American Government, and we do not propose to follow that formula here.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. MUNDT. I yield to the gentleman from California.

Mr. HOLIFIELD. The gentleman has indicated by his remarks that my offer of this amendment might be construed in the form of a subterfuge.

Mr. MUNDT. Not a substitute; a killer amendment.

Mr. HOLIFIELD. I want to assure the gentleman that I offered the amendment in all sincerity.

Mr. MUNDT. I think that is right. It is a sincere effort to kill the bill.

Mr. HOLIFIELD. No. May I say that it is a sincere effort to obtain some expert advice on drafting the amendment to a bill which needs amending, and I admit it needs to be drafted by a man who has the responsibility of enforcing the act against all forms of totalitarianism in the United States. That is my opinion of this amendment, and it is not for the purpose of killing, except in killing what I consider vague and indefinite and dangerous language as written in the balance of the committee bill.

Mr. MUNDT. Yes, but the gentleman considers the whole bill to be in that category, so he proposes to kill it.

Mr. HOLIFIELD. No. I have adopted the first part of the gentleman's bill by my amendment and only substitute a part which I think will make it workable from the standpoint of enforcement.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. MUNDT. I yield to the gentleman from Mississippi.

Mr. RANKIN. The gentleman's amendment reminds me of the time they caught some horse thieves down in the Southwest and tried one of them, and they happened to get 12 of his cohorts on the jury. They brought in a verdict, "We, the jury, find the man who stole the horse not guilty."

Mr. MUNDT. Mr. Chairman, obviously whether it be the intent or the accidental result of the gentleman's amendment, its passage would kill the bill. So, I ask that the amendment be defeated.

The CHAIRMAN. The time of the gentleman from South Dakota has expired. All time has expired.

The question is on the amendment offered by the gentleman from California [Mr. HOLIFIELD].

The question was taken; and on a division (demanded by Mr. HOLIFIELD) there were—ayes 21, noes 61.

So the amendment was rejected.

Mr. LUCAS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the United States is confronted with a world which is a

breeding ground for insidious propaganda, all of it directed at this last great bastion of freedom on the face of the globe. We have in this country agents of this foreign ideology who have organized a growing movement which is feeding on the very freedoms which are inherent in our society. This movement is taking advantage of every liberty which we possess and using the powers obtained thereby to attempt to destroy those self-same liberties. While pretending patriotism it promotes oppression in the form of a program to uproot the very foundation stones of our Government. Under guise of liberalism, it would destroy our liberties.

I say, Mr. Chairman, that the time has come to control it, or else it will control us. We have waited too long to force these advocates of anarchy out into the open. We have allowed them too much liberty. We have actually encouraged them to organize, to propagandize, and thereby to weaken and confuse our people by our failure to act before this time. We cannot afford to delay longer.

There are those among us who are being deluded regarding this bill, people who sincerely believe that its passage will violate their rights as citizens of this great free land of ours. All I can say to them is this: Read the bill again. It simply outlaws treason and the subversive methods that have been employed in other countries to overthrow free governments. What lover of our land will oppose that?

Let us look at the bill. This is what it does. It makes it unlawful to attempt to establish in the United States a totalitarian dictatorship or to assist in the performance of any act toward that end or to participate in a movement organized for such a purpose. It deprives of United States citizenship whoever is found guilty under this act. It forbids members of such subversive organizations from working for the Government. Nor may they secure passports for the purpose of leaving or entering this country. This latter, of course, is to prevent the disloyal from going abroad for schooling in methods for our destruction.

These are very important sections in the bill, but I think the most necessary provision is the requirement that all subversive organizations register and make annual reports to the Attorney General. This is the way we will force them out into the open. No longer can they escape the bright light of publicity upon their iniquitous activities. No longer will loyal American citizens be misled by organizations parading under patriotic titles without opportunity of knowing who directs their activities. No longer will loyal American citizens be deceived into joining un-American organizations, nor will loyal American laboring people be led by those who would destroy this country. It is high time those who would overthrow this Government be brought out into the open. This bill provides for exactly that.

But these restrictions do not deprive anyone of a constitutional right any more than a law against shouting "Fire!" in a crowded theater is a deprivation of the right of free speech. When this Nation cannot protect itself against traitors within our boundaries it can hardly be

expected to successfully defend itself against outside enemies.

Mr. Chairman, we are privileged to live in a great and wonderful land, so wonderful, indeed, that all the world envies us. But we do not have all these advantages simply because we live on this continent or because our forefathers chose to have a republican form of government. We have purchased and purchased again our freedoms with the lifeblood of all those who have made the supreme sacrifice for our country. Our failure to take every step toward preserving this democracy may result in our loss of it and the sacrifices which have been made will have been in vain. The duties resting upon us lie too heavily for us to avoid courageous action in defense of our liberties. We must pass this bill.

Mr. MUNDT. Mr. Chairman, I rise for the purpose of making a unanimous-consent request to limit the time for debate on this section. I understand there are four amendments on the Clerk's desk pertaining to this section. I ask unanimous consent that debate on this section and all amendments thereto close in 40 minutes, thus providing 5 minutes for and 5 minutes against each amendment.

Mr. MARCANTONIO. Mr. Chairman, reserving the right to object, we got along very well yesterday. Nobody attempted to filibuster. Every Member expressed his views sincerely on this bill. Now the gentleman seeks to restrict and limit debate. There are various amendments to be offered. Members are offering these amendments in all sincerity. Therefore, I do not think it is fair for the gentleman from South Dakota to try to limit debate on this bill and the amendments. Therefore, Mr. Chairman, I am constrained to object at this time.

Mr. MUNDT. Mr. Chairman, would an hour be satisfactory?

Mr. MARCANTONIO. Yes.

Mr. MUNDT. Mr. Chairman, I ask unanimous consent that debate on section 3, and all amendments thereto close at a quarter to two.

The CHAIRMAN. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. OWENS].

Mr. OWENS. Mr. Chairman, I offer an amendment, which is at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. OWENS:

On page 19, lines 22 and 23, strike out all of subparagraph (A) of paragraph (3) of section 3.

And on page 20, lines 10, 11, and 12, strike out all of subparagraph (D) of paragraph (3) of section 3.

Mr. OWENS. Mr. Chairman, I ask unanimous consent that each part of my amendment may be voted on separately.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. OWENS. Mr. Chairman, a few moments ago when I was discussing section 3 and the definition of Communist political organization and Communist-front organization, I pointed out that we

need only worry about the definition of Communist-political organization because of the fact that, as was mentioned by one of the aspirants for President of the United States on the radio the other evening, it might cause some restriction upon individuals. While he did not refer to any definite section of the bill, he may have had this particular portion in mind, although I feel that he was referring more particularly to sections which will be amended during the course of the day.

There were some contentions raised which seemed to me to have some merit. For instance, in section 3, paragraph 3, among other things it mentions "the term Communist-political organization means any organization in the United States having some, but not necessarily all, of the ordinary and usual characteristics of a political party, with respect to which, having regard to some or all of the following considerations."

It then sets forth considerations running from (A) to (J). I call attention to the fact that every one of those considerations, with the exception of three, definitely ties this Communist-political organization up with a foreign power, which is absolutely proper, in my opinion.

Subparagraph (B) says:

The extent to which its policies are formulated and carried out and its activities performed, pursuant to directives or to effectuate the policies, of the foreign government or foreign governmental or political organization in which is vested, or under the domination or control of which is exercised, the direction and control of the world Communist movement referred to in section 2 of this act.

In subparagraphs (C), (E), (F), (G), (H), and (J), it directly refers to such foreign government. So I do not see how anyone can have any objection whatsoever to those paragraphs.

Paragraph (I) refers to "the extent to which it fails to disclose, or resists efforts to obtain information as to its membership—by keeping membership lists in code, by instructing members to refuse to acknowledge membership, or by any other method; its members refuse to acknowledge membership therein; it fails to disclose, or resists efforts to obtain information as to, records other than membership lists," and so forth.

Now, if that section on membership were to be combined with paragraphs (A) and (D), in order to give the Attorney General reasonable cause to conclude that it is under control of such foreign government, there might be difficulty, because you would have membership included with the following paragraph (A) "the extent and nature of its activities, including the expression of views and policies," without connecting it with a Communist organization or a totalitarian state or anything else.

The same would apply to (D), which reads, "the extent to which it supports or advocates the basic principles and tactics of communism as expounded by Marx and Lenin."

All over the country, in the universities like Johns Hopkins, St. John's College, the University of Chicago, they encourage "great books" courses. Among those courses are books on Marx and

Lenin. A group of that type might possibly, in combination with the membership, be brought in under the Communist political party organization.

For that reason I am suggesting that we take out first (A), where it says "the extent and nature of its activities, including the expression of views and policies" without connecting it with a foreign organization. Then, secondly, take out that reference to communism "the extent to which it supports or advocates the basic principles and tactics of communism as expounded by Marx and Lenin," because when we do, we will have a powerful section that no one can complain about, because it definitely ties everything up with a foreign government or a totalitarian dictator under some foreign power. For that reason, I suggest, in all seriousness, the adoption of this particular amendment. As I said before, I ask that each be considered separately.

The CHAIRMAN. The time of the gentleman from Illinois [Mr. OWENS] has expired.

Mr. KERSTEN of Wisconsin. Mr. Chairman, I rise in opposition to the amendment.

I respectfully oppose the amendment proposed by the gentleman from Illinois [Mr. OWENS]. As I understand it, he seeks to strike out subsections (A) and (D) in section 3. I think if either of those were stricken it would definitely weaken the ability of the bill to properly consider whether or not an organization is a Communist organization, particularly with section (D), "the extent to which it supports or advocates the basic principles and tactics of communism as expounded by Marx and Lenin."

A number of gentlemen who have read an extensive amount of literature put out by the Communist Party, particularly put out by the Communist Party in Russia, will note that in practically every article there is constantly referred to the hyphenated word "Marx-Lenin" line.

As a matter of fact, last year the president of the Moscow State University wrote a very long article in the Ministry of Education Journal in which he takes to task the colleges of the Moscow State University for not adhering in their lectures to the Marxist-Leninist line. In other words, that is the definite line that the Communists insist must be followed. Mr. Zhdanov, one of the high members of the Politburo is constantly weeding everything out of the Communist activities that does not adhere to the Marxist-Leninist line. We have had such examples even in the world of art and music, where things that do not adhere to the line are stricken out, they are liquidated. The Marxist-Leninist line must be maintained and its bureau for world Communists was headed by Mr. Zhdanov.

So the extent to which an organization bases its activities on the doctrines of Marx and Lenin is probably the most notable characteristic of Communist activity. It would therefore definitely weaken the bill if there were not as one of the elements to be considered, the extent to which an organization adhered to the Marxist-Leninist line. That is the very essence of Communist activity.

Mr. MUNDT. Mr. Chairman, will the gentleman yield?

Mr. KERSTEN of Wisconsin. I yield.

Mr. MUNDT. The gentleman is exactly correct, and I certainly hope the Committee will not favor these amendments, because they do weaken the bill. It would handicap the Attorney General and the Government in building a case against Communists, for they all revert to the language on page 21, starting in line 16. That is, the preaching, teaching, and reading of Marxist and Leninist doctrines as it pertains to the control by a foreign government of this country, they all refer back to that. It is not the teaching of it in colleges, but it is the practice of it for the purpose of overthrowing the Government that this legislation moves against.

It would be very serious to disrupt the definitions by taking that out and I certainly hope the Committee will agree with the gentleman from Wisconsin and oppose the amendment.

Mr. KERSTEN of Wisconsin. I heartily thank the gentleman. This goes to the world Communist movement throughout which the Marxist-Leninist line is adhered to. It is adopted by the Communists who are seeking to rule the world and that should be one of the basic measures of determination.

Mr. OWENS. Mr. Chairman, will the gentleman yield?

Mr. KERSTEN of Wisconsin. I yield.

Mr. OWENS. Would we not be advocating that the people of the country read Marx and Lenin in order to know what the law is and would therefore be proponents, mind you, of reading the doctrines of Marx and Lenin?

Mr. KERSTEN of Wisconsin. No; I do not agree with the gentleman at all. The Communist Party today is flooding the world with Marxist-Leninist literature and they are designating it as such; and it is that type of thing which I think we should spotlight and I think should be considered in determining whether these organizations are Communist-controlled.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

The question is on the first portion of the amendment offered by the gentleman from Illinois [Mr. OWENS].

The first portion of the amendment was rejected.

The CHAIRMAN. The question recurs upon the second portion of the amendment.

The second portion of the amendment was rejected.

Mr. MATHEWS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have in my hand a letter received by me from a constituent yesterday from which I desire to quote. My first quotation is this:

I myself am a Communist.

I want to express my gratitude to the gentleman for his honest frankness. I have been unable to get out of these people when I ask them anything further than a refusal to answer the question: Are you a Communist?

The second quotation I want to make from this letter—and remember, the letter is addressed by a constituent to me—is this:

I know your sharp hostility to the Communists.

So, Mr. Chairman, I do not have to stand up here, tell this House that I am opposed to communism, and ask the Members to take only my own word for it. I have here the written proof of a man who admits he is a Communist and who knows that I am hostile to the Communists, which is gratifying and satisfying to me.

The third quotation I want to read from this letter follows:

Should the bill pass—

That is, the Mundt bill, because he is writing me about this bill which is now under consideration—

the Communist Party will not debase itself by compliance with its provisions.

Now, to the gentleman on the other side of the aisle who said a few moments ago, if I recall his words correctly, that no Jew is a Communist, I should be glad if he would see me later and I might be able to give him some information concerning the race and the religion of the writer of this letter. What I want to say most emphatically is that I protest against the fact that the actions of any individual should ever reflect in general upon any race of which he is a member, of any religion to which he belongs, or of any group with which he may be affiliated.

I want to compliment the committee on having brought out a most excellent bill covering a most difficult subject. There are many features about the bill which I do not like. But that is not an analogous situation. It happens in almost all bills with almost all of us. Offhand I can think of only one bill with none of the provisions of which I disagreed, and that was a bill to repeal over 100 existing laws. However, I do wish that it had used the word "subversive" or some similar word in place of Communist because I am equally opposed to an organization, no matter what name it goes under, that carries out the principles which are to be forbidden by this act.

Mr. Chairman, I am a little tired of having American patriotism tested by the sole criterion of which foreign country he loves and which foreign country he hates. The time has come when American patriotism again should be tested by only one rule and that is how much does he love the United States of America and the principles for which it stands.

A great deal has been said on both sides concerning whether or not this bill outlaws the Communist Party. Night before last I listened to a debate between two eminent gentlemen of this country, one of whom said that the bill does outlaw the Communist Party, the other stating that it did not. That left me in a state of delightful confusion, until I came on the floor of the House yesterday and heard the gentleman from Minnesota, Dr. Judd, state that it both does and does not outlaw the Communist Party. So the whole thing was cleared up. With

all due respect to the gentleman from Minnesota, who is a medical doctor for whom I have the highest respect, when it comes to questions of constitutionality it seems to me that a medical doctor is about as much use as a constitutional lawyer messing in at the birth of his first child. From my own reading of the bill I cannot see how it does outlaw the Communist Party and if for one moment I were convinced it does I would vote against the bill because I have continually opposed outlawing the Communist Party.

There have come to me the usual number of hysterical telegrams and letters protesting against the bill now before us and saying in effect, that if I voted for the bill I would pull down the Statue of Liberty, burn up the Bill of Rights, trample upon the American flag, and deal a death blow to dear democracy.

Naturally, I disagree with this point of view. I do not believe that the bill is anywhere nearly so bad as these people try to point out, nor do I believe it will accomplish all the great objectives claimed for it by its proponents.

With all the other duties revolving upon me I have not had the opportunity to do the thorough research work necessary to determine to my own satisfaction whether or not every provision of this bill is constitutional. From my study of it I am not convinced that any particular provision is unconstitutional. As I said before I do not like all the provisions and particularly I do not like any legislation which puts the power of both prosecution and decision in the hands of one person. I know that it has been done in the past 16 years but that neither makes it right nor more palatable to me. It is against fundamental American principles to constitute a public official both the prosecutor and the judge in any cause. I realize that the effect of this is modified, if not nullified, by the granting of the right of appeal, as does this bill. With no such right of appeal granted, I could not vote for the bill.

There have been some good amendments adopted and I understand more will be offered. I hope some of these will be adopted so that I can vote for the bill.

There is one observation I would like to make from what I understand is the purpose of this bill. It has never been questioned that this Congress has the right to pass legislation preventing foreign goods being imported into this country, or being imported only under restrictions, limitations and conditions, such as the paying of duties. These laws have been in force and effect for many years and people have been prosecuted and punished for their violation. Consequently I see no reason why, within constitutional limitations, this Congress does not have the right to enact legislation to prevent the importation of a foreign government to take over the government of the United States and the people thereof.

No one truly American wants to vote for legislation which infringes upon the right of free speech or free action to change our form of government in the proper, legal way. On the other hand if this Congress does not have power to take reasonable steps to protect the very

government only through the power of which free speech and proper free action is guaranteed and protected to the individual citizen, then we have reduced the matter to utter nonsense. Realizing that the right protected is always greater than the mechanism which protects it, nevertheless, the right protected is of absolutely no use if the individual citizen does not have adequate protection in its enjoyment.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. FERNANDEZ. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, this bill does not outlaw the Communist Party, but it does apply very effectively DDT to the Communists, and I am in favor of applying DDT to that kind of vermin, not only for the protection of our Government but for the protection of the innocent people who are taken in, drawn in, and fooled by the activities, the do-good propaganda and ballyhoo of the Communist Party.

In this book, *A Nation of Nations*, by Louis Adamic, published in 1945, Mr. Adamic refers to an incident that occurred in my State and with which I am quite familiar, so I am going to quote what he says, then I will tell you a little about it.

He said:

Early in 1939 I received a large four-page bilingual leaflet entitled "Call to the First Congress of the Mexican and Spanish American Peoples of the United States on March 24, 25, and 26, 1939, at Albuquerque." It was addressed to "all labor organizations, fraternal and cultural and religious groups, civic and social and political clubs, and Mexican honorary commissions." It read in part: "Today more than 2,000,000 Mexican and Spanish-American people in the United States are facing the consequences of increasing economic and cultural poverty. Their conditions of work, housing, health, education, and opportunity menace their very existence. * * * In scattered localities through the Southwest various groups have focused their attention on the issues with varying degrees of success. The experience of these groups has demonstrated that only concerted discussion and action can achieve progress toward a significant improvement of these conditions."

That is very fine, Mr. Chairman, it sounds good. Then he said, and I quote again:

The call was signed by scores of Hispano, Mexican, and Anglo leaders in New Mexico, Texas, California, Colorado, Arizona, and elsewhere.

But the congress was not held. For one thing, its organization was not well handled. And perhaps the attempt was a little ahead of its time. Essentially it was a capital idea and something like it is bound to be tried again.

Now, Mr. Adamic may not know why they did not hold the congress, but I do. The League of United Latin American Citizens, a patriotic organization to which I belonged, investigated this movement through the help of some people who were in a position to help, and they found out that it was led, organized, dominated and financed by well-known Communist leaders. All they had to do then was expose them, and the people used their own judgment and took care of the

rest. These Communists moved on and never held their congress.

This is what this bill is intended to do. If it does it, if it brings them out in the open, we can trust the judgment of the American people to take care of themselves.

On one point this bill goes a little far, I am afraid. Subparagraph (4) in section 8, on page 29, requires that the Communist Party register the names and addresses of all its members, and then on the next page it is provided that the Attorney General shall notify those persons who are listed as members of the Communist Party, but says nothing about what may be done if a person is erroneously listed as a member. That places in the hands of the Communist organization the right to say who are and who are not members, and conceivably they can list men and women as members of the organization, who perhaps are not. The bill does not make any provision whereby those innocent people may extricate themselves from the list of Communists. Great harm can be done. There is nothing in the bill that will penalize the organization for filing fraudulently the names of people who are not Communists. There is no definition of what constitutes a member. I think the committee ought to give some thought to that and ought to either put in some penalties against the fraudulent listing of persons as members, or else this provision ought to be eliminated. It really is not necessary, and it is dangerous. If you can identify the organization and its officers, if you can bring them out in the open, we will have made some progress.

Mr. POWELL. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, unfortunately I think we have beclouded the issues by bringing in the question of communism. It is not a question of outlawing communism but the question before us is whether we are going to outlaw Americanism. This bill, not because of what I have read nor from my opinion, but according to the opinion of the gentlemen who proposed it, beginning with the gentleman from Minnesota [Mr. Judd] yesterday, is aimed against our American way of life. Our colleague yesterday said that the judicial process of our Constitution is no longer adequate to cope with this problem. Therefore, he admitted and so stated that this bill would substitute the legislative for the judicial process. This means we are taking the first step in scrapping the American way of life as we have known it.

Mr. MACKINNON. Mr. Chairman, will the gentleman yield?

Mr. POWELL. I yield to the gentleman from Minnesota.

Mr. MACKINNON. I think what my colleague had in mind was that the present laws on the books were inadequate under judicial interpretation.

Mr. POWELL. No; he did not say that.

Mr. MACKINNON. I know he did not; but I just offered that as to the thought that he may have had in mind. The statement was somewhat ambiguous as I heard it.

Mr. POWELL. I welcome that, because what our colleague said yesterday caused

me great concern. It is inconceivable that a Member of our body openly said on this floor that the judicial process of our Government was no longer adequate to cope with this problem. We all heard his statement.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. POWELL. I yield to the gentleman from New York.

Mr. MARCANTONIO. The statement made by the gentleman from Minnesota [Mr. Judd] was in response to an inquiry made by me.

Mr. POWELL. That is right. Mr. MARCANTONIO. I stated that this bill was substituting legislative determination of guilt in place of judicial determination of guilt.

Mr. POWELL. He admitted it. Mr. MARCANTONIO. He not only admitted it but sought to justify such substitution by what he claims has happened in other countries.

Mr. POWELL. That is right and he is exactly correct, too. What happened in Germany under Hitler from 1933 to 1941? Law by law it was exactly this bill. In 1933 till 1941 this bill, step by step, item by item, was adopted by the Reichstag of Hitler; this very bill as it is now before us today. I think that is a grave thing. It is not a question of outlawing communism, it is a question of outlawing Americanism. By the open profession of one of the Members of the House, we are taking the first step in scrapping the Constitution, which is just what happened under Adolf Hitler. This bill as it is now would have been acceptable without changing one jot or tittle, to the Reichstag of Nazi Germany. It destroys our courts, our Constitution, our Bill of Rights. It makes Hitler the winner of World War II.

I want to know who is in favor of the bill. Our President is against it, every presidential candidate is against it, the FBI is against it, and religious organizations are against it. You heard the magnificent telegram to the gentleman from New Jersey [Mrs. NORTON] from the Most Reverend Bishop of Grand Rapids, Bishop Haas. I belong to the Protestant Council of New York City, which is composed of many big-money men of the Protestant church in New York, and they are against it. The Methodist church is against it. Who is in favor of the bill, I should like to know?

Mr. REDDEN. Mr. Chairman, will the gentleman yield?

Mr. POWELL. I yield to the gentleman from North Carolina.

Mr. REDDEN. The gentleman can name many outstanding Americans who are opposed to the bill, but can he name one Communist in America who is for it?

Mr. POWELL. No, because I am discussing the bill from the standpoint that it is outlawing Americanism, not communism.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. POWELL. I yield to the gentleman from Pennsylvania.

Mr. VAN ZANDT. The American Legion and the Veterans of Foreign Wars,

who speak for millions of veterans, are for this bill.

Mr. POWELL. Are they the only Americans?

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. POWELL. I yield.

Mr. MARCANTONIO. I just wonder how many members of the Legion have been made aware of the provisions of the bill. I say that if the rank and file of the Legion and other veterans' organizations were aware of the Fascist implications of this bill they would be against it.

Mr. POWELL. I agree with the gentleman, because I have not met any organization that was in favor of this bill when it became aware of what was involved, even openly anti-Communist organizations.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. EDWIN ARTHUR HALL].

Mr. EDWIN ARTHUR HALL. Mr. Chairman, yesterday I received a heavy packet of mail, and as I ripped open its cover out fell more than 200 petitions with 15 names each, demanding that as their Representative I support the Committee on Un-American Activities. These petitions were from the triple-cities area, from Binghamton, Johnson City, and Endicott. They are accredited signatures. They are the 3,000 signatures of men and women who are honest, forthright Americans, who are in every walk of life and of all races and creeds. They are Americans first, last, and always. I feel it my bounden duty to come before the House today to say that those petitioners have every right to expect action on my part to see their wishes are carried out.

They expect me to take action against the foes of our country, and I am voting for this bill today to keep faith with them. There has been much talk during the past few days about whether this bill will affect the basic rights of Americans. I have been through this bill carefully. I cannot point out any part of it that will do any such thing.

In the State of New York the supreme court some months ago ruled that unless you have ample proof a person is a Communist it is libelous to call him a Communist. A jail sentence hangs over the man who dares refer to the name. I would be very hesitant before I labeled anybody a Communist or to call any names unless I had pretty good proof that a man was a Communist or a member of a subversive group.

So it seems to me that those who are afraid of losing fundamental rights, at least in the State of New York, should look to the ruling which was made by the supreme court of that State. For that reason, I cannot see where anyone needs to be apprehensive or afraid. I would be the last to advocate going on a witch hunt against any citizen of the land or any group or organization that is patriotic and aboveboard.

Therefore, Mr. Chairman, it is my sincere, honest conviction that every subversive group in the country should be examined and that the light of publicity

should be put upon that group or individual so that we know where they stand.

Certainly a representative of the people cannot stand idly by after all the repercussions we have had on our domestic front in the past 2 or 3 years and turn his back to the danger. Who will say there are not subversive groups or individuals in the country going out and attempting to stir up trouble and to overthrow our American form of government?

I do not know whether during the debate in the past few days anything has been said about my colleague [Mr. MUNDT], the author of this bill. For my part, I think the gentleman has manifested during the 10 years he has been in Congress, and while I have served with him, every sincere and honest effort he could put forth to see that Americanism is preserved. I for one believe that he is sincere in offering this bill and in fighting for what he believes is right on the floor of the House. In doing this, he is carrying out the wishes of the people who elected him. I believe that when a man proceeds with that idea and with those principles, he cannot possibly be far from right.

It is my fervent hope this bill we pass today will accomplish what we intend it shall, the exposure of all individuals, groups and organizations whose purpose is to overthrow our beloved country.

Mr. SMITH of Ohio. Mr. Chairman, it is impossible for me to vote for the Mundt bill and I want my constituents to know why.

This measure, if enacted into law, will give our people a false sense of security against communism, which is dangerous.

They have already been greatly fooled by the many laws enacted to suppress communism and subversive activities. If those laws were enforced they would accomplish all the proponents of the pending bill allege it will do. But they have not been enforced. What faith the public had in them was misplaced.

About a year ago Congress appropriated between ten and eleven million dollars to screen out the Communist elements from the Federal pay roll. Judging from the size of that appropriation it must have been thought the departments of Government were pretty much infested with persons believing in the Marxian ideology.

The number of persons discharged from Government service or who have left it because of that law is too piddling to mention. Everyone knows the procedure has been a fiasco. Again we see the public deceived. The security against communism which was promised by the proponents of that plan failed to materialize.

The refusal by Congress to put the State Department in direct charge of the Marshall plan furnishes an excellent illustration of the utter futility that must be expected from the Mundt bill to suppress communism in the United States. Congress refused to put the State Department in control of the Marshall plan because that Department was honeycombed with Communist-minded persons and could not be trusted to carry out the task of administering the Marshall plan.

Yet, nothing of any consequence has been done to clear those persons out of the State Department, nor will anything be done.

Of course, the foreign-aid program is, nevertheless, dominated by the State Department and in the nature of things it could hardly be otherwise.

But there is another respect in which the public is apt to be misled by the Mundt bill which is even more alarming. The Mundt bill does not touch the real cause of communism any more than the other laws that have been passed to combat it.

Communism has its roots in a diseased economy, excessive taxation, political corruption of money and class legislation, and so forth.

There is no room for communism in a healthy economy. Therefore, to check this ideology in the United States, it is necessary to take politics and politicians out of business, drastically reduce the number of persons on the Federal pay roll, sharply curtail all expenditures not absolutely essential to our national security and the functioning of true government, and returning to the producers of the Nation their gold.

When the workers are again in position to demand gold in payment for their labor, communism will not be a threat to the Nation. The reason is simple. They will then possess the greatest possible protection to keep what they produce which, of course, is also a guaranty of the most equitable distribution of wealth. Let anyone, if they can, point to a single instance where communism flourished under a system that protected every worker in the right to be paid for his labor in gold or paper that could be converted into gold at its face value. No one can, of course.

It is a diseased economy that gives communism a foothold. The real remedy for communism is to restore the Nation's economic health.

Vital also to the national security and general welfare of our people is the adoption of a policy that gives primary consideration to the interests of the United States of America instead of the rest of the world.

It seems to me the Mundt bill is primarily designed to garner votes rather than to get at the real cause of communism. I cannot be a party to deceiving the public and am, therefore, constrained to vote against the Mundt bill.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. JAVITS].

Mr. JAVITS. Mr. Chairman, I have asked for this time in order to make one point with respect to this debate which I do not think has been adequately made. It bears upon the basic question of whether or not this bill outlaws any group.

In view of the fact that section (3) of the bill is the heart of the trilogy of the bill that makes the outlawing, I would like to explain to the House why I believe this bill outlaws the Communist Party and will drive it underground; a course to which such distinguished citizens as Governor Dewey and Senator TAFT are opposed; and I add Mayor O'Dwyer's

opposition to this very bill in connection with this discussion.

As you read the sweeping findings of fact which are in this bill, I think you must come to the conclusion that the Congress could write a bill tomorrow making findings of fact with the broadest implications, about any other group which is a minority group and which a majority of the Members of the House may not like at some future time.

On the basis of those broad findings of fact, the House could seek to outlaw that group. That might be sought to be applied to people of the Catholic or Jewish faith or any other minority group. I feel, therefore, that in opposing this bill and pointing out this particular matter in connection with it, I am serving the interests of all my constituents.

If the Members will refer to page 16, they will find among the findings of fact, the following:

(6) The political organizations so established and utilized in various countries, acting under such control, direction, and discipline, endeavor to carry out the objectives of the world Communist movement by bringing about the overthrow of existing governments and setting up Communist totalitarian dictatorships which will be subservient to the most powerful existing Communist totalitarian dictatorship.

If the Members will then turn to section 3, which contains in subparagraph (3) a definition of "Communist political organization," it now reads, as amended, and I read from page 21, lines 16 to 18:

It is reasonable to conclude that it is under the control of such foreign government or foreign governmental or political organization—

It has already been stated that only the Communist Party of the United States is meant. Hence, the bill is defining what it has already found in its findings of fact. Then, if we turn to sections 4 and 5, we find first that it is made unlawful to advocate any such thing as according to the findings of fact this Communist political organization is said to advocate, and in section 5, as I pointed out before, those who are convicted of a felony are not only deprived of citizenship, but if they are native-born Americans they are deprived of nationality.

Therefore, as soon as such an organization registers it admits its officers and active members are guilty of a felony, and if that does not mean outlawing the Communist Party I do not know what would do it, and that course is considered as inimical to our very efforts to fight communism by some of the most distinguished Americans in public life.

The CHAIRMAN. The time of the gentleman from New York [Mr. JAVITS] has expired.

The Clerk read as follows:

CERTAIN PROHIBITED ACTS

Sec. 4. (a) It shall be unlawful for any person—

(1) To attempt in any manner to establish in the United States a totalitarian dictatorship the direction and control of which is to be vested in, or exercised by or under the domination or control of, any foreign government, foreign organization, or foreign individual;

(2) To perform or attempt to perform any act with intent to facilitate or aid in bringing

about the establishment in the United States of such a totalitarian dictatorship;

(3) Actively to participate in the management, direction, or supervision of any movement to establish in the United States such a totalitarian dictatorship;

(4) Actively to participate in the management, direction, or supervision of any movement to facilitate or aid in bringing about the establishment in the United States of such a totalitarian dictatorship;

(5) To conspire to do anything made unlawful by this subsection.

(b) Any person who violates any of the provisions of subsection (a) of this section shall, upon conviction thereof, be punished by a fine of not more than \$10,000 or imprisonment for not more than 10 years, or both such fine and imprisonment.

(c) Any offense punishable under this section may be prosecuted at any time without regard to any statute of limitations.

Mr. COUDERT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COUDERT:

Page 23, line 22, after the word "manner", insert "not otherwise permitted by law."

And on page 24, line 3, after the word "act", insert "not otherwise permitted by law."

And on page 24, line 7, after the word "participate", insert "in any manner made unlawful by this section or any other law of the United States."

On line 10, page 24, after the word "participate", insert "in any manner made unlawful by this section or any other law of the United States."

Mr. COUDERT. Mr. Chairman, by way of preamble let me say that I am not exactly a newcomer in this matter of dealing with communism. In the years 1941, 1942 and 1943, as chairman of the Joint Legislative Committee of the New York State Legislature I had the difficult and unpleasant task of investigating among other things subversive activities in the great school and college systems of the city of New York. So I have no illusions as to the difficulties that have confronted this Committee on Un-American Activities. I have great admiration for the way in which it has carried on all through the years, by and large. I also have no illusions as to the difficulties that confronted this committee or any other committee in drafting legislation to deal with this matter.

In our own New York committee report of 1942 we strongly advocated registration, compulsory registration of Communist organizations and their membership. The bill before us provides for such registration. I am heartily in favor of it. It is the heart of the bill, and I think it will go very far toward the accomplishment of our purpose which is to bring these subversive elements out into the open.

Section 4, however, presents an entirely different situation. It is wholly unnecessary to the bill and it is a very violent and radical departure from all American precedent, American practice, and American tradition. It will make it unlawful and subject to 10 years imprisonment for any person to attempt in any manner to bring about the prohibited results.

Yesterday the gentleman from New York [Mr. KEATING], speaking in support of the bill, made the following statement—lest there be any doubt that my

conclusion and construction be not correct. Said he:

First, it is contended that freedom of speech and of the press guaranteed by the first amendment is restricted by this measure. No doubt its effect will be to curtail both insofar as by words or writings attempt is made to establish in this country a totalitarian dictatorship.

Section 4 prohibits advocacy, mere advocacy by an individual citizen of the United States. When that individual citizen going beyond individual advocacy by word or writing, joins up with other individual citizens for the purpose by joint action of bringing about the results he seeks, then he falls under the provisions of this bill relating to registration of Communist political organizations as he well should. Upon default of registration he will be subject to the penalties provided for failing to register. But section 4 dealing alone with an individual is something that we should strike from this bill because it serves no purpose. It has no necessary connection with the registration and it will leave the heart of the bill intact.

I have moved to amend it in such a way as to continue to permit the legitimate, peaceful, legal advocacy of any cause by any citizen of the United States. I hope the committee will accept my amendment. It is an amendment that will not in anywise impair the effectiveness of this bill.

Mr. COX. Mr. Chairman, I rise in opposition to the pending amendment.

Mr. Chairman, I dislike finding myself in opposition to my distinguished friend who has just yielded the floor. He is not only a great lawyer of fine understanding but he is a man of the highest patriotic impulses, one whose leadership I am usually pleased to follow. I believe, however, that he is in error in the position he takes as expressed in the amendment which he offers. You might as well strike this section from the bill if you accept his amendment because the amendment takes the heart out of the section.

The gentleman is in error also when he says that the section as written makes it a crime for any one to, in any manner, advocate the overthrow of the Government. That is not true, as I understand it. The language of the bill is as follows, omitting a few words:

It shall be unlawful to attempt to establish a totalitarian dictatorship under foreign control.

In other words, the section does not make criminal the advocacy of overthrow of the Government on the part of any one except he does so as a member of a totalitarian group under foreign control. The section as it is written simply penalizes a foreign agent or the agent of a foreign government here in America who advocates the overthrow of the Government by force and arms or by any other means.

Mr. COUDERT. Mr. Chairman, will the gentleman yield?

Mr. COX. I yield to the gentleman from New York.

Mr. COUDERT. What is there in the subsection the gentleman has just read that refers to a foreign agent? That

applies to any individual American citizen who advocates totalitarianisms as defined.

Mr. COX. Of course, the crime is personal but directed only against one who attempts to establish a totalitarian set-up under the control of a foreign agent; in other words, as a participant in the activities of such an agent or of such an organization he carries on and performs as an agent of a foreign government.

Mr. Chairman, I can think of no more serious blunder that this committee might commit than to accept the pending amendment. Certainly it would to a very large extent destroy the bill which the committee has so laboriously prepared and brought to the floor for the consideration of this committee.

Mr. COUDERT. Mr. Chairman, if the gentleman will yield further, the gentleman makes something of the point that this advocacy must include domination by a foreign power.

Mr. COX. That is right.

Mr. COUDERT. If this bill becomes law, then is there any reason that the gentleman knows why this should not be a precedent for passing a bill punishing in the same fashion, or prohibiting in the same fashion, advocacy of joining a world government?

Mr. COX. No. There is no similarity between the point the gentleman makes and the amendment he offers.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. COX. I yield to the gentleman from New York.

Mr. MARCANTONIO. The gentleman, in discussing this amendment, has omitted words in subsection (a) (1) of section 4.

Mr. COX. Yes.

Mr. MARCANTONIO. "In any manner."

Mr. COX. I left those words out for the purpose of making the point clear.

Mr. MARCANTONIO. But that is the point that the gentleman from New York raised.

Mr. COX. I know exactly what the language is. I was reading it to make clear just what the section says. The section says that it shall be unlawful to attempt in any manner to establish a totalitarian dictatorship under foreign control. The point that I make is that the section penalizes the conduct of one performing as an agent of a foreign government, or as a member of an organization under foreign control.

Mr. MARCANTONIO. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the gentleman from New York has discussed the implications of the language of section 4. I would like to demonstrate to this Committee just how section 4 operates in connection with the various other sections of the bill.

Under section 8 of the bill a Communist political organization or Communist-front organization must register. The moment that Communist organization registers, or the moment its officers register, then to see what happens we must turn to subsection 6 on page 16 of section 2. There we have a legislative finding of fact as to what such a registered organization is doing in the United

States. It is "setting up Communist totalitarian dictatorships which will be subservient to the most powerful existing Communist totalitarian dictatorship."

Follow me. An organization under section 8 registers. Subsection 6 of section 2 states that the organization which is registered is trying to set up a Communist totalitarian dictatorship. Then you go back to section 4 which makes it a crime punishable by 10 years in jail; to do what? To attempt in any manner to establish in the United States a totalitarian dictatorship. So, what happens? A member of such an organization, whose officers have registered the organization, finds himself in what position? He finds himself in the position of having actually, for all purposes and effect, pleaded guilty to a violation of section 4. If he is indicted under section 4, as he must be, what defense does he have? He is a member of an organization which has already been found by the Attorney General to be an organization which seeks to set up a totalitarian dictatorship. We come about that by the legislative finding in subsection 6 of section 2. That is a finding with which he is presented the moment he goes into court, that he is a member not only of an organization, but of an organization which attempts to set up a totalitarian dictatorship. Therefore, before trial he is automatically guilty of having violated section 4.

If you can justify that in the light of the prohibition against guilt by association, if you can justify that in the light of the prohibition against bills of attainder and guilt by legislative determination, then you have a right to vote for this bill if you want to. But this is the first time that this Congress is actually passing a law which says to a person, "You are guilty of committing another crime simply by belonging to an organization." You do it by reading together section 8, which provides for registration with the legislative finding of purpose of such an organization, under subsection 6 of section 2, and with section 4, which says, to attempt in any manner, to do what? To establish in the United States a totalitarian dictatorship. Read on page 16, section 6, the legislative finding, "by bringing about the overthrow of existing governments and setting up Communist totalitarian dictatorships." So that subsection 6 of section 2 in connection with section 8, which requires registration, compels an American citizen to be declared and adjudged guilty before he is tried. Further, an American citizen violates the law if, first, his organization registers, second, if it does not register, and third, in either case register or not register it is legislated guilty of section 4 which calls for 10 years' imprisonment and no statute of limitation. That is what you have in this bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The amendment was rejected.

The Clerk read as follows:

LOSS OF UNITED STATES CITIZENSHIP

SEC. 5. (a) Section 401 of the Nationality Act of 1940, as amended, is hereby amended by striking out the period at the end thereof and inserting in lieu thereof a semicolon and

the word "or", and by adding at the end of such section a new subsection to read as follows:

"(k) Committing any violation of section 4 of the Subversive Activities Control Act, 1948, provided he is convicted thereof by a court of competent jurisdiction."

(b) Section 403 (a) of the Nationality Act of 1940, as amended, is hereby amended to read as follows:

"(a) Except as provided in subsection (g), (h), (i), or (k) of section 401, no national can expatriate himself, or be expatriated, under such section while within the United States or any of its outlying possessions, but expatriation shall result from the performance within the United States or any of its outlying possessions of any of the acts or the fulfillment of any of the conditions specified in such section if and when the national thereafter takes up a residence abroad."

Mr. JAVITS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

On page 24, line 24, strike out all of section 5.

Mr. JAVITS. Mr. Chairman, I have offered this amendment at what is perhaps the final opportunity under this bill only for the purpose of rounding out and concluding the argument that I have made on the question of outlawry of an organization.

I want, however, to pursue just for one minute another question. The question that I put to the House and to the Committee is, Would it not be possible, once Congress adopts the precedent of this bill, that some time in the future by writing sweeping findings of fact with respect to Catholics, or Jews, or some other group found all over the world—and coupling them with the definition of a felony, Congress could make the findings, determinations, and conclusions in a bill that a crime has been committed merely by being an active member or officer of a Catholic, Jewish, or similar organization?

To make it more clear that outlawry is intended by the bill, section 5 imposes the punishment of loss of nationality—not just loss of citizenship—because as lawyers in the House know, conviction of a felony generally deprives a person of the right of a citizen to vote for a time. But under this particular section 5, a native-born American who is convicted of this crime under section 4 is expatriated.

I am not solicitous of Communists and most of the Members of the House are not solicitous about Communists; we are solicitous about human beings, and we are solicitous of preserving constitutional rights. We are solicitous about not having sweeping findings of guilt by the definitions of a statute alone. That is the ground on which I felt justified in completing my argument while the section of the bill which with section 4 relates to conviction of a felony was still before us.

Mr. MacKINNON. Mr. Chairman, will the gentleman yield?

Mr. JAVITS. I yield.

Mr. MacKINNON. I want to suggest a slight correction to the gentleman in a minor detail, and that is that conviction of a felony does not in all States always entail the loss of a person's voting rights.

Mr. JAVITS. It does in most States though, does it not?

Mr. MacKINNON. It is up to the particular State.

Mr. JAVITS. But it does in most States, does it not?

Mr. MacKINNON. Look at what they did in Massachusetts. We did the same thing in our State.

Mr. JAVITS. But it does generally in most States, will not the gentleman agree with that?

Mr. MacKINNON. No, not as I read the law—there are a great many States where the State law ignores Federal convictions for felony.

Mr. JAVITS. This bill may deprive a natural-born American of his nationality and I was making that point in connection with outlawry.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. JAVITS. I yield.

Mr. MARCANTONIO. I hold in my hand the edicts of Adolf Hitler. I would like to read, with the gentleman's permission, one of the sections with reference to the law regarding the revocation of naturalization and the deprivation of German citizenship. It is as follows:

LAW REGARDING THE REVOCATION OF NATURALIZATION AND DEPRIVATION OF GERMAN CITIZENSHIP (REICHSGESETZBLATT, I, 480, JULY 14, 1933)

An ordinance to effectuate this measure was passed 2 weeks later (Reichsgesetzblatt, I, 538, July 26, 1933). It provided:

"Conduct violating the duty to loyalty against the Reich and the people will be found particularly if a German assists in the hostile propaganda against Germany or if he has tried to insult the prestige or the measures of the National Government."

Mr. NIXON. Mr. Chairman, will the gentleman yield?

Mr. JAVITS. I yield.

Mr. NIXON. I should like to point out that under the bill as written the provisions of section 4 and the penalty which the gentleman is discussing would apply to those advocates of fascism as I pointed out earlier in the day, of the brown variety, the black variety, and the red variety, such as we have in the Soviet Union. It is to avoid the establishment in the United States of a Nazi dictatorship, a Communist dictatorship, or a Fascist dictatorship, that we have this provision in the bill, and this penalty which we think fits the crime.

Mr. JAVITS. But that is not your bill, because as I read it when coupled with the findings of fact, it calls for indictment of the officers and active members of the Communist Party as soon as it registers, and hence it is outlawed in effect. This section 4 to which you refer cannot be taken out of the whole bill here, desirable as that might be.

Mr. ISACSON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, subdivision (k) of section 5 provides for loss of United States citizenship for anyone who commits a violation of section 4.

Section 4 provides that it shall be unlawful for any person to attempt in any manner to establish a dictatorship. I have previously indicated that the words "any manner" must necessarily mean some manner other than the use of force

or violence. This must necessarily be true for we have already have statutes on the books which prohibit the use of force and violence.

What, then, would constitute "any other manner"? Well, the language of the bill itself gives us an indication of what these other methods may be.

On page 17, section 2, subsection 6 there are listed a number of subsections which characterize the activities other than force and violence, which are sought to be penalized by this bill. What are they?

(A) The disruption of trade and commerce.

Mr. CASE of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. ISACSON. Not at this time.

Mr. CASE of New Jersey. It is very pertinent to this point.

Mr. ISACSON. I anticipate that the gentleman from New Jersey wishes to point out that this section has been eliminated from the bill as it now stands.

Mr. CASE of New Jersey. Yes.

Mr. ISACSON. Despite that fact, the language defines the activities that are in the minds of the committee when they refer to activities "other than force and violence." Whether they are still part of the bill or not, they are the activities which the committee seeks to proscribe and penalize. Let us then return to section 2, subsection 6.

Now, what does the bill mean when it says "disruption of trade and commerce?" In ordinary every-day language, it means strikes. It means picketing. It is clear, therefore, that one of the activities which is sought to be penalized here, as an activity "other than force or violence," is the activity of striking.

Let us proceed to subsection (B):

The inciting of economic, social, and racial strife and conflict.

What does the committee mean by that? Well, you have all heard the Congressman from Mississippi, Congressman RANKIN. He stood on this floor yesterday and again today and chanted that a bill which seeks to eliminate racial segregation constitutes incitement of racial strife. Are we then to conclude that any group which seeks to end segregation again comes under this section of the law?

Subdivision (C) prohibits: "The dissemination of propaganda calculated to undermine established government and institutions."

What is the everyday language for that? It simply means opposition, criticism of certain policies of the Government. This section seeks to equate criticism with subversion and conformity with loyalty. Thus this section would penalize strikes and picketing and criticism of the administration and all attempts to end segregation.

It is for that reason that we say that this bill is "Rank in" every respect, and we say "Nix on" this Mundtstrosity.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. ISACSON. Certainly.

Mr. HALLECK. As I understand it, section 4 contains certain language prohibiting certain acts.

Mr. ISACSON. That is right.

Mr. HALLECK. Which would be tried as every criminal case would be tried in the district courts, prosecuted before juries who would hear the evidence and determine what ought to be done. Then, there is a penalty provided. Then, an additional penalty, in section 5, which is now sought to be stricken out. Does the gentleman believe that his last statement to the effect that certain activities, which he has listed, could possibly come under the language which seeks to prohibit anyone from attempting to establish a totalitarian dictatorship under the direction or control of a foreign country?

Mr. ISACSON. The answer is "Yes," for the following reasons: First, strikes might be outlawed. I have cited on this floor two instances in which strikes have been declared to be political strikes. I have given you the dates when and the places where that was done. Second, attempts to end racial segregation might be outlawed. The remarks of Congressman RANKIN, who claimed that a law which seeks to end segregation is an incitement to racial strife amply prove this. Third, the attempts to stifle the third party's criticism of the administration's policies prove my point.

The CHAIRMAN. The time of the gentleman from New York [Mr. ISACSON] has expired.

Mr. MUNDT. Mr. Chairman, I ask unanimous consent that all debate on this section, and all amendments thereto, close in 10 minutes, the last 5 minutes to be reserved for the committee.

The CHAIRMAN. Is there objection to the request of the gentleman from South Dakota [Mr. MUNDT]?

There was no objection.

Mr. MARCANTONIO. Mr. Chairman, I take this time in order to answer the distinguished majority leader by directing some questions to him. The gentleman from Indiana, of course, has read this bill and is fully familiar with it. The gentleman has read section 8 which requires registration.

Assume that the officers of an organization have registered that organization as a Communist political organization. Then, turn to subsection 6 of section 2 on page 16 of the bill. There, Congress finds as a matter of fact—lines 23 to 25—that such an organization is engaged in the setting up of a Communist totalitarian dictatorship which would be subservient to the most powerful existing Communist totalitarian dictatorship. Assume further that a member of such organization is indicted; I ask the gentleman: What is his defense? Has he not already been substantially and from any realistic viewpoint found guilty the moment the Attorney General has found his organization to be one that is a Communist political organization?

Mr. HALLECK. The gentleman announced that he was going to interrogate me about the provisions of the bill. As I said earlier, I did not engage in drafting the bill, but I think I know enough about it to make this suggestion to the gentleman: As I understand it, the direct provision of prosecution under indictment such as the gentleman referred to is contained in section 4.

Mr. MARCANTONIO. Exactly.

Mr. HALLECK. Section 4 undertakes to set out the conduct which shall be considered as criminal.

I just happen to believe that anyone who undertakes to attempt to establish in this country a totalitarian government subject to control and domination by a foreign power is guilty of about the greatest crime I can think of. I see no reason why that man should not be indicted. I see no reason why Congress should not enact a law to reach him and let the jury determine what the facts are.

Mr. MARCANTONIO. That is not the question I asked the gentleman. I asked the gentleman, and I repeat it: Is the gentleman in favor of what this bill does, namely, under section 8 an organization must register as a Communist political organization, if it is one. Correct? If the Attorney General finds it to be one. Correct?

Mr. HALLECK. That is, the Attorney General could enter an order declaring it so.

Mr. MARCANTONIO. That is it.

Then, under section 4 a person is charged with attempting in any manner to establish in the United States a totalitarian dictatorship, and so forth. Correct?

Mr. HALLECK. Let me say just this—

Mr. MARCANTONIO. Let us go step by step, so we do not confuse the issue.

Mr. HALLECK. I want to go step by step with the gentleman, but I think he is asking—

Mr. MARCANTONIO. But the gentleman admits that section 8 requires registration of a Communist political organization. Section 4 requires indictment of a person who attempts to establish a totalitarian dictatorship; and subsection 6 of section 2 establishes as a legislative finding that a Communist political organization is an organization that would set up a totalitarian dictatorship. I ask the gentleman then, what good is a jury trial to a person indicated under section 4 in view of subsection 6 of section 2 of the bill and in view of section 8 of the bill?

Mr. HALLECK. Will the gentleman now yield to let me reply?

Mr. MARCANTONIO. I now yield to the gentleman.

Mr. HALLECK. As I said before, section 4 undertakes to set out certain criminal penalties for certain prohibited acts. That would be tried, of course, as the gentleman knows, upon an indictment, a trial by jury.

Mr. MARCANTONIO. But what issues would be left to the jury?

Mr. HALLECK. Now, the gentleman has been asking me questions. Let me have time to answer.

Mr. MARCANTONIO. But what issues would be left to the jury?

Mr. HALLECK. Beyond that, the bill in respect to registration has two different methods of procedure. One would permit the Attorney General to go into the courts to establish the charges made. The other would provide for a hearing before the Attorney General as an administrative officer of the Government and the executive branch of the Government. After hearing, after opportunity

to be heard, there is a review in court of the order made by the Attorney General as such administrative officer.

Mr. MARCANTONIO. But that is not a trial by jury as set forth in the sixth amendment to the Constitution of the United States. You cannot substitute a legislative finding and an executive finding in place of a trial by jury required under amendment 6 of the Constitution.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. MUNDT. Mr. Chairman, I rise in opposition to the pending amendment.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. MUNDT. I yield to the gentleman from Mississippi.

Mr. RANKIN. I want to remind the gentleman from New York [Mr. MARCANTONIO] that a man in a Communist country would not know what a grand jury is; that the commissars decide whether or not they want him shot or not and proceed as usual.

Mr. MARCANTONIO. That statement is just as relevant to the issues as everything else the gentleman from Mississippi has been sputtering on this particular bill.

Mr. RANKIN. But my arguments have been unanswerable.

Mr. MUNDT. Mr. Chairman, I rise in opposition to the amendment and call the attention of the committee to just what the amendment is. The amendment would strike out all of section 5, and I refer to the amendment introduced by the gentleman from New York [Mr. JAVITS], and supported by the gentleman from New York [Mr. ISACSON]. The rest of the colloquy dealt with other aspects and phases of the bill.

Mr. Chairman, I ask that the Committee reject this amendment because to strike out this penalty in section 5 would mean that the Committee by such action would virtually place its approval upon conspiracies engaged in to overthrow this Government and deliver it to a foreign power.

May I say one other thing and that is the penalties under section 5 apply only to the crimes committed under section 4, only to those crimes which tend toward treason, because they really amount to a conspiracy to deliver this Government lock, stock, and barrel to a foreign power.

Mr. MACKINNON. Mr. Chairman, will the gentleman yield?

Mr. MUNDT. I yield to the gentleman from Minnesota.

Mr. MACKINNON. The only question that has been raised which might require some clarification in the minds of the Members is the extent to which this might apply to some world organization such as the Catholic Church, the Zionist organization, certain Protestant churches, the World Federalists, and similar organizations. This particular section that we are referring to deals with offenses under section 4. There is nothing in section 4 that deals with any organization, international or local, except one which attempts to establish a "totalitarian dictatorship system of government." We all know that is not the purpose of those organizations and

hence they would not be affected in any way. I do not believe that being "subject to foreign control" is anywhere near as great an evil as an attempt to establish a "totalitarian dictatorship." I do not think there is any evil dealt with in this bill which is as great as the evil of attempting to establish a totalitarian dictatorship in this country. The fundamental reason for the magnitude of such evil is that a totalitarian dictatorship would deny the fundamental, inalienable right of human beings to liberty. That is the broad moral basis for this proposal. Such moral law is over and above the Constitution of the United States, but it is recognized in the Constitution and in our Declaration of Independence. The inalienable rights that human beings possess transcends everything that the gentlemen from New York have referred to because the cases he mentioned did not involve cases where inalienable rights were being protected. That is the justification in law and morality for this bill. We are here protecting the fundamental human rights that every individual born in the world is entitled to have his government protect and keep secure and inviolate.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. MACKINNON. I yield to the gentleman from Indiana.

Mr. HALLECK. As I understand it, the precise amendment is to strike out section 5 which adds a penalty in the event of conviction that involves the taking away of the right of citizenship. In my State of Indiana and in many other States, if a man is convicted of a burglary, for instance, the court may disfranchise him for a given period of years. That in effect takes away whatever voting rights he has and his right to hold office, his right of citizenship that goes with his being a resident of the State of Indiana. Now, I would not undertake to say to anyone whether or not this additional penalty should be incorporated. That is a matter for a man's own conscience. But, if a man is convicted under section 4, and if section 4 is properly in the bill, then certainly there is precedent for the additional penalty that is involved in section 5.

The CHAIRMAN. The time of the gentleman from South Dakota has expired. All time has expired.

The question is on the amendment offered by the gentleman from New York [Mr. JAVITS].

The amendment was rejected.

The Clerk read as follows:

EMPLOYMENT OF MEMBERS OF COMMUNIST POLITICAL ORGANIZATIONS

SEC. 6. (a) It shall be unlawful for any member of a Communist political organization, knowing or believing, or having reasonable grounds for knowing or believing, that the organization is a Communist political organization—

(1) to seek or accept any office or employment under the United States without revealing that he is a member of such organization; or

(2) after 30 days after the date of the enactment of this act, to hold any nonelective office or employment under the United States.

(b) It shall be unlawful for any officer or employee of the United States to appoint or

employ any individual as an officer or employee of the United States, knowing or believing that such individual is a member of a Communist political organization.

Mr. VAIL. Mr. Chairman, I offer a committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. VAIL:

Page 25, lines 22 and 23, strike out the following: "or believing, or having reasonable grounds for knowing or believing."

Page 26, lines 9 and 10, strike out the following: "or believing."

Mr. VAIL. Mr. Chairman, I would like to inform the House that this amendment has the unanimous support of the entire committee.

The CHAIRMAN. The question is on the committee amendment offered by the gentleman from Illinois [Mr. VAIL].

The committee amendment was agreed to.

Mr. MARCANTONIO. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I simply rise to read another one of Hitler's edicts so that the Members of this House can compare it with section 6.

On April 7, 1933, the following law was passed:

SECTION 1. Civil servants who have been members of the Communist Party, or Communist auxiliary and substitute organizations, or who have otherwise been active along Communist lines, are to be discharged from the civil list.

SEC. 2. Civil servants who will hereafter be active along Marxist, Communist, or Social Democratic lines, are likewise to be discharged.

SEC. 4. Civil servants who by their previous political conduct do not afford assurance that they will at all times identify themselves without reserve with the national state may be discharged from the service.

SEC. 15. The provisions regarding civil servants are equally applicable to employees and workers.

Mr. Chairman, compare section 6 with the Hitler edicts, and think it over.

Mr. HALLECK. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, back in 1940 I remember my service on the special committee that investigated the National Labor Relations Board. In the course of that investigation it was insisted that there were Communists in the employ of that agency. The question arose as to whether or not Communists should serve in the executive branch of the Government. Those who believed that they should be permitted to serve took the position that it did not make any difference what their political belief was, they ought to be entitled to employment by the Government.

Possibly I am a little naive, but it has always been my belief that a man employed in the Government of the United States should be deeply interested in making that government work. That is his first responsibility. It has always seemed to me that you could not expect very good service for good government from a person in the employ of the Government who did not believe in this Government of ours but who, on the contrary, believed in some totalitarian form of government or some form of government that is diametrically opposed to

our form of government under the Constitution and just laws fairly administered for all.

As far as I am concerned I cannot see any similarity with any operations of Mr. Hitler. I think it is just a matter of common sense, important for preservation of our freedom, for national security, and in the interest of good government, that we expect that the people who serve us in the executive branch of the Government of the United States hold the conviction that ours is the best kind of government and that they would rather have our kind of government than some totalitarian or any other alien form of government. I believe it is only from such loyal people that we will get the kind of government the people of this great land are entitled to have. That is the reason I am glad section 6 is in the bill.

The Clerk read as follows:

DENIAL OF PASSPORTS TO MEMBERS OF COMMUNIST POLITICAL ORGANIZATIONS

SEC. 7. (a) It shall be unlawful for any member of a Communist political organization, knowing or believing, or having reasonable grounds for knowing or believing, that the organization is a Communist political organization—

(1) to make application for a passport, or the renewal of a passport, to be issued or renewed by or under the authority of the United States; or

(2) after 60 days after the date of the enactment of this act, to use or attempt to use a passport theretofore issued.

(b) It shall be unlawful for any officer or employee of the United States to issue a passport to, or renew the passport of, any individual knowing or believing that such individual is a member of a Communist political organization.

Mr. VAIL. Mr. Chairman, I offer a perfecting amendment, which has the unanimous support of the committee.

The Clerk read as follows:

Committee amendment offered by Mr. VAIL:

On page 26, lines 15 and 16, strike out "or believing, or having reasonable grounds for knowing or believing."

On page 27, line 1, strike out "or believing."

The amendment was agreed to.

REGISTRATION AND ANNUAL REPORTS OF COMMUNIST ORGANIZATIONS

SEC. 8. (a) Each Communist political organization (including any organization required, by a final order of the Attorney General, to register as a Communist political organization) shall, within the time specified in subsection (c) of this section, register with the Attorney General, on a form prescribed by him by regulations, as a Communist political organization.

(b) Each Communist-front organization (including any organization required, by a final order of the Attorney General, to register as a Communist-front organization) shall, within the time specified in subsection (c) of this section, register with the Attorney General, on a form prescribed by him by regulations, as a Communist-front organization.

(c) The registration required by subsection (a) or (b) shall be made—

(1) in the case of an organization which is a Communist political organization or a Communist-front organization on the date of the enactment of this act, within 30 days after such date;

(2) in the case of an organization becoming a Communist political organization or a Communist-front organization after the date

of the enactment of this act, within 30 days after such organization becomes a Communist political organization or a Communist-front organization, as the case may be; and

(3) in the case of an organization which by a final order of the Attorney General is required to register, within 30 days after such order becomes final.

(d) The registration made under subsection (a) or (b) shall be accompanied by a registration statement, to be prepared and filed in such manner and form as the Attorney General shall by regulations prescribe, containing the following information:

(1) The name of the organization.

(2) The name and last-known address of each individual who is at the time of the filing of such registration statement, and of each individual who was at any time during the period of 12 full calendar months preceding the filing of such statement, an officer of the organization, with the designation or title of the office so held, and with a brief statement of the duties and functions of such individual as such officer.

(3) An accounting, in such form and detail as the Attorney General shall by regulations prescribe, of all moneys received and expended (including the sources from which received and the purposes for which expended) by the organization during the period of 12 full calendar months preceding the filing of such statement.

(4) In the case of a Communist political organization, the name and last-known address of each individual who was a member of the organization at any time during the period of 12 full calendar months preceding the filing of such statement.

(e) It shall be the duty of each organization registered under this section to file with the Attorney General on or before February 1 of the year following the year in which it registers, and on or before February 1 of each succeeding year, an annual report, prepared and filed in such manner and form as the Attorney General shall by regulation prescribe, containing the same information which by subsection (d) is required to be included in a registration statement, except that the information required with respect to the 12-month period referred to in paragraph (2), (3), or (4) of such subsection shall, in such annual report, be given with respect to the calendar year preceding the February 1 on or before which such annual report must be filed.

(f) It shall be the duty of each organization registered under this section to keep, in such manner and form as the Attorney General shall by regulations prescribe—

(1) accurate records of the names and addresses of the members of such organization and of persons who actively participate in the activities of such organization; and

(2) accurate records and accounts of moneys received and expended (including the sources from which received and the purposes for which expended) by such organization.

(g) It shall be the duty of the Attorney General to send to each individual listed in any registration statement or annual report, filed under this section, as a member of the organization in respect of which such registration statement or annual report was filed, a notification in writing that such individual is so listed; and such notification shall be sent at the earliest practicable time after the filing of such registration statement or annual report.

(h) In the case of failure on the part of any organization to register or to file any registration statement or annual report as required by this section, it shall be the duty of the executive officer (or individual performing the ordinary and usual duties of an executive officer) and of the secretary (or individual performing the ordinary and usual duties of a secretary) of such organization, and of such officer or officers of such organization as the Attorney General shall by regu-

lations prescribe, to register for such organization, to file such registration statement, or to file such annual report, as the case may be.

Mr. HESELTON. Mr. Chairman, I offer an amendment which is at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. HESELTON: On page 29, line 3, strike out the period and insert in lieu thereof a colon and the following: *Provided*, That the provisions of this paragraph requiring disclosure of the sources of money received shall not require any Communist-front organization to disclose the names or addresses of members of such organizations."

Mr. HESELTON. Mr. Chairman, first I want to assure the membership of the House that this is not offered in any way as a wrecking amendment or an amendment that would seriously affect the bill in the shape that it is now in. I do want to confess I am still thinking very deeply about my own responsibility as this bill takes shape. Secondly, I have some degree of confidence that Members of the House may agree with the wisdom of this provision. It applies solely to the names and addresses of members of what are termed in the bill to be Communist-front organizations. The committee in its report and throughout the bill has very properly distinguished between members of the Communist Party and members of a Communist political organization, with which I am confident none of us have any sympathy, and the members of another kind of organization which may or may not be finally found to be in any degree guilty of any offense. In the report on page 7 this is clearly brought out when the committee refers to this briefly by saying: "And in the case of a Communist political organization, but not in the case of a Communist-front organization, the names and addresses of members. If you will look at the bill you will see there is a requirement under subsection (3) for an accounting in such form and detail as the Attorney General may prescribe of all monies received including the sources from which they are received. It is my contention there can be no interpretation of that except that among the sources of the funds of practically all voluntary decent organizations are from dues from their members and, therefore, their names and addresses would be disclosed, which would violate the clear intention of the committee."

You would by indirection be defeating the very protection the committee has written into this section. Consequently, I have tried to provide this limitation so that there would be no question in the world but what the intent of the committee would be carried out by anyone, whoever it might be, who would be charged with the administration of this law.

If I might take the liberty of asking the gentleman from California [Mr. Nixon] who has been most cooperative in discussing all sections of this bill, am I correct in assuming that the intent of the committee was to make it impossible for anybody to so construe this provision that the names and addresses of the

dues-paying members of what are described as Communist-front organizations should not be disclosed by any official?

Mr. MUNDT. Mr. Chairman, will the gentleman yield?

Mr. HESELTON. I yield.

Mr. MUNDT. The gentleman is correct, the way the bill is now written. There is no provision at all which requires the publication of any of the names or addresses of front organizations. That is the way the law now stands.

Mr. HESELTON. And that is what the committee wants to have as a result, I am sure.

Mr. MUNDT. But to write in what you do creates a new storm cellar into which these front organizations will run their members and hide them from public view and refuse to respond to subpoenas, and you take the administration's side of a controversy such as we now have in the Condon case, by saying that no executive agency may disclose, even to Congress itself, the list.

Mr. HESELTON. I vigorously disagree with the gentleman's interpretation of the amendment. I repeat, the committee itself has definitely and explicitly stated that they did not want the names and addresses of these people in this questionable category to be disclosed. I say the language of the bill before us now indicates that. I would like to ask the gentleman from California [Mr. NIXON] if he thinks I have made a fair statement in terms of the intent of the committee.

Mr. NIXON. I think the gentleman's statement as to the intent of the committee is correct. Proof of the fact that the gentleman's statement is correct is that the bill as presently written expressly distinguishes between the publication of names and addresses of members of Communist political organizations and the names and addresses of members of Communist-front organizations, and expressly requires the furnishing of names of members of Communist political organizations only.

Mr. HESELTON. I thank the gentleman.

The CHAIRMAN. The time of the gentleman from Massachusetts [Mr. HESELTON] has expired.

Mr. JENNINGS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have been amazed at the solicitude that has been evidenced in this debate for those who are seeking the overthrow of this Government and the setting up in lieu and instead thereof a totalitarian state under the control of a foreign power.

I have heard the changes rung again and again about something that Hitler is alleged to have said. Well, Hitler is dead, and I think I know where he is. Stalin is alive, and I have not heard any word of condemnation of Stalin or his satellites and representatives in this country who are seeking its overthrow and its destruction.

Now, I esteem the gentleman from Massachusetts [Mr. HESELTON] most highly. He seems to be laboring under the fear that if somebody sucks eggs in conjunction with a Communist front, they will not be able to hide the shells; that if they are caught in the sheepfold,

they may be examined to see if they have wool in their teeth; that if some of the cohorts and financial supporters of these Communist organizations lie down with dogs they may be found to have gotten up with fleas on them. I have no such solicitude. Let us take the false whiskers off of all of them, Reds, pinkos, and parlor pinkos, and expose all of them. It will hurt this country just as much if some deluded saphead who moves in good society and masquerades as a good citizen should dump hundreds of thousands of dollars into a fund to maintain and support one of these subversive organizations as it would if that money should come straight from Moscow.

Let us have an end to this window dressing and take the false whiskers off all these fellows who in the name of human liberty and in the name of the Constitution are seeking to destroy liberty and undermine the Constitution. To tolerate them is an outrage and those who ask us to make it easy for them insult our intelligence.

I am also told, and I want to get right down now to brass tacks, that this House is to be asked to march up the hill in support of this measure and then when we get on top of the hill we are going to take the teeth out of it and in an apologetic and an abject surrender to the Communists and their mouthpieces in this country we are going to provide a means of escape for the Communists who have been found to be Communists by the Attorney General, and the Communist organizations and Communist-front organizations that have been found by the Attorney General to be Communist in their nature and purposes; that if they are so found upon a full hearing by the Attorney General that his finding shall not have the effect of the findings of administrative agencies that have heretofore dealt with the rights of decent citizens in this country, that the findings of the Attorney General in a full, fair public hearing will be open to review in the courts of the country and tried de novo. In other words, the findings of the Attorney General shall not be conclusive. The courts will have to examine and weigh the evidence.

Every lawyer in this House knows that when a citizen's suit is heard before a trial judge of competent jurisdiction without the intervention of a jury, if there is substantial evidence or any evidence to sustain the court's finding the appellate court will not weigh the evidence upon appeal. We are going to give these Communists a latitude, a protection, a leeway, an escape from the findings of the Attorney General that they are Communists or are members of Communist organizations that are required to register under this measure. Out of abundant precaution it is provided in this proposed law that if the Attorney General finds any new evidence or any new evidence is called to his attention that in his opinion warrants a different finding on his part, such evidence may be considered by him, and that he may make a different finding and file such new evidence and different finding in the appellate court.

I do not want the members of this committee to try to make a monkey out of

us. I do not think they will do it. I do not want anybody to try to undertake to make a monkey out of this House by making an abject surrender to communism.

The issue is clearly drawn. You are either for our Government and its flag or you are for Russia and the hammer and the sickle. Let the line of demarcation be drawn so there can be no doubt about where an American citizen stands who believes in this country and its flag, its Constitution and its liberties; let the line be drawn between Americans and those who believe in Communistic Russia and the tyranny and outrageous violation of civilization and the Christian religion that has made that government, that system, a plague throughout all the world.

Mr. SMITH of Ohio. Mr. Chairman, I move to strike out the last word.

Mr. MUNDT. Mr. Chairman, will the gentleman yield for a consent request?

Mr. SMITH of Ohio. I yield.

Mr. MUNDT. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto conclude in 14 minutes, the last 2 to be reserved to the committee.

The CHAIRMAN. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

The CHAIRMAN. The gentleman from Ohio is recognized.

Mr. SMITH of Ohio. Mr. Chairman, I am against a world government. I am opposed to the bipartisan foreign policy which presently seeks to establish a world government. Should a world government eventuate, in all likelihood some particular nation will dominate. That nation might be the United States, and I have a strong suspicion that the citizens of the United States who are back of the movement to set up a world government take it for granted that the United States would be in the saddle. But that might not be the case. It could happen that some country other than our own would be in control.

Bear in mind that a world government might be a dictatorship; and in my judgment that is what is in process of formation. So we might have some foreign country exercise dictatorial power over the United States. Would not this bill, if enacted into law, throw strong suspicion upon all those who are striving to establish what can conceivably be a foreign dictatorship over the United States?

The CHAIRMAN. The Chair recognizes the gentleman from South Dakota [Mr. MUNDT].

Mr. MUNDT. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Massachusetts and call the attention of the committee clearly to what this amendment would do. Of course, I know it is offered in the best of faith but actually it would take the teeth right out of this bill.

Every Member of the House knows that when we pass this legislation requiring Communists to register, most of the elements of that party will move into front organizations. Unless we provide some way to find out who they are and where they get their money, we are shutting the door in the face of those of us who are trying to stop Communist activ-

ities in this country. We do not provide in the bill that these front organizations have to register their names in public, but we do provide in the bill that these subversive-front organizations must keep in their own offices a complete list of the names and accurate addresses of all of their members and they must report to the Attorney General the sources of revenue and the manner in which they spend their money.

If we were to adopt the gentleman's amendment we would set up a barrier against Congress or the Attorney General bringing those names out of hiding if it should become necessary. We must keep the authority in our own hands so if there are subversive groups and front organizations whose names are kept there under mandate of Congress, and if it becomes necessary then to find out who they are, to disclose their identity, to find out their addresses, certainly we do not want to hamstring ourselves so that we have no power at all to find out who is trying to overthrow this Government by force and violence.

For the reasons set forth above I ask that the amendment be defeated.

The CHAIRMAN. The Chair recognizes the gentleman from Connecticut [Mr. MILLER].

Mr. MILLER of Connecticut. Mr. Chairman, I want to ask the chairman of the committee a question that has been bothering me during the debate. What will constitute membership in these various organizations?

Mr. MUNDT. That will depend on the charter and the constitution of the particular organization. In most cases it will be a dues-paying member. In some places they may not use dues, they may have some other initiation procedure. But whatever step you have to take to become affiliated with them, this legislation covers the procedure. It does not mean they can put Mr. MILLER or Mr. MUNDT in of their own volition and without our knowledge. The individual member has to take some overt act to become a member.

Mr. MILLER of Connecticut. Then all the citizen would have to do is not to commit that overt act. If it is the payment of dues, he will not pay dues. If it is attending meetings, he will stay away from meetings.

Mr. MUNDT. If he becomes a member of the Communist-front organization, he is covered.

Mr. MILLER of Connecticut. Here is what is bothering me. He simply will not comply with whatever criteria you set up. If you set up the payment of dues he will not pay dues. But that does not lessen the threat of communism so far as we are concerned.

Mr. MUNDT. There is no criterion established; it varies from front organization to front organization.

Mr. MILLER of Connecticut. That is the trouble.

Mr. MUNDT. If a man does not join the Communist-front organization he is not covered and if in his own individual capacity he happens to carry out some of the policies of the Communist-front organization he will not be affected. But if he is affiliated with the organization,

then he comes under the declarations of the bill.

Mr. MILLER of Connecticut. That is what bothers me. We could have one of the most dangerous Communists, a man who does want to overthrow this Government by force and violence, yet he would not be touched by this bill and he is the man we would drive underground because he will not comply with the conditions set forth here.

Mr. MUNDT. The only way he could continue to operate is to operate as a hermit alone and unaffiliated with others acting similarly.

Mr. MILLER of Connecticut. No; he could operate as one of many kindred spirits.

Mr. MUNDT. Then he becomes a member of an organization that is subversive if his activities are of such a nature.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. HESELTON].

The amendment was rejected.

Mr. RANKIN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RANKIN: Page 29, line 5, after the word "organization", insert the words "or Communist-front organization."

Mr. RANKIN. Mr. Chairman, this amendment provides for the registering with the Attorney General of the names and addresses of every member of a Communist-front organization in America, just as we do the Communist organizations.

I have said time and time again that these Communist-front organizations are doing infinitely more harm in this country today than the Communist Party itself. There is no reason on earth why every man who belongs to one of these subversive-front organizations should not have his name registered, or his membership registered, with the Department of Justice. I took that position in the committee, and I take that position now.

Whenever that is done you are going to find people becoming careful about joining these subversive fronts. You will not find so many of these fellow-travelers strutting around in our educational institutions, poisoning the minds of our students, because they happen to be members of a Communist-front organization that is used as a cat's-paw for the Communist Internationale. This is one of the greatest dangers in America, and I want those names registered with the Department of Justice so that the Department of Justice may know who they are.

You know the reason there is so much fight on this bill? The passage of this bill in the form it was reported, and especially with this amendment, will do more to turn back this tide of fanaticism and to save America for Americans, preserve American institutions and put a stop to this world-wide effort to undermine and destroy this government, to undermine and destroy our religious institutions, to undermine and destroy everything American, than anything else has ever done.

I say, the passage of this bill, especially with this amendment, will do more to turn back that tide of fanaticism than anything else that could be done at this time.

Mr. NIXON. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from California.

Mr. NIXON. I am asking the gentleman to yield only for this purpose, to say that this particular proposal, which I know the gentleman has offered in the best of faith, was considered by the full committee and by the subcommittee.

Mr. RANKIN. I understand.

Mr. NIXON. And it was rejected. It was rejected on the ground that the committee did not desire to have the names of Communist front members made public for the very good reason that membership in a Communist-front organization as distinguished from a Communist political organization can involve innocent people.

Mr. RANKIN. This does not publicize the names. It makes them file the names of the members of these subversive fronts with the Attorney General of the United States, and if this amendment goes in it will do more to put a stop to these subversive elements working throughout the United States than any other one thing that can be done. When patriotic American citizens realize that an organization is a Communist front, that the name of every member is registered with the Department of Justice, they are going to be very reluctant to lend their names or their money to the carrying out of these subversive propaganda campaigns. I know there was opposition to this amendment in the committee. I took the same position then that I am taking now.

I have stood by this committee since it was organized 10 years ago.

I was responsible for its creation as a permanent committee in 1945. I have supported it throughout all these years. But I tell you now that one of the best things we can do is to adopt this amendment to make every Communist-front organization file with the Department of Justice a list of its members, together with their post-office addresses.

That will not be putting them on the front page, but it will be putting them where the Attorney General or the Department of Justice can lay its hands on them.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi.

The amendment was rejected.

The Clerk read as follows:

KEEPING OF REGISTER; PUBLIC INSPECTION; REPORTS TO PRESIDENT AND CONGRESS

SEC. 9. (a) The Attorney General shall keep and maintain in the Department of Justice a register of all organizations which are registered under section 8, and such register shall be known as the "Register of Communist Organizations." Communist political organizations and Communist-front organizations shall be listed separately in such register.

(b) Such register, together with the registration statements and annual reports filed under section 8, shall be kept and maintained in such manner as to be open for public inspection.

(c) The Attorney General shall submit to the President and to the Congress annually (and at any time when requested by either House by resolution) a report with respect to the carrying out of the provisions of this act, including the names of the organizations listed in such register and of the data (including the names and addresses of the individuals listed as members of such organizations) contained in registration statements and annual reports filed under section 8.

Mr. MARCANTONIO. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, we are assuming that registration is not a penalty and not an infringement of the first amendment to the Constitution. I am sure that if the Members of this House will examine the decisions on this subject they will find otherwise. Requiring registration because of the expression of any views is just as much an infringement of the first amendment as any other action this House could take. Unless the views expressed constitute a clear and present danger, something which is to be found by judicial determination and not by legislative finding, as provided in this bill, the requirement of registration is a violation of the first amendment to the Constitution. I hope the Members will examine the decisions on this issue, particularly the case of *Thomas v. Collins* (323 U. S. 516). I shall read a short paragraph from it:

If one who solicits support for the cause of labor may be required to register as a condition to the exercise of his right to make a public speech, so may he who seeks to rally support for any social, business, religious, or political cause. We think a requirement that one must register before he undertakes to make a speech to enlist support for a movement is quite incompatible with the requirements of the first amendment.

Examine section 8 and section 9 in the light of the constitutional prohibition and you will find that what the House is attempting to do here is in violation of the first amendment to the Constitution.

Mr. MITCHELL. Mr. Chairman, will the gentleman yield?

Mr. MARCANTONIO. I yield to the gentleman from Indiana.

Mr. MITCHELL. Does the gentleman from New York feel that it was a violation of constitutional rights when millions and millions of our boys and girls registered for the draft to defend this country some 4 years ago? We are working in reverse now.

Mr. MARCANTONIO. I have heard the question. That question is just as relevant to this issue as the remark the gentleman made previously on the floor of this House about the United Electrical Workers.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. MARCANTONIO. I yield to the gentleman from New York, who I hope will talk about the law on the question instead of making an irrelevant declaration, as the gentleman from Indiana just did.

Mr. KEATING. The gentleman realizes that in this case of *Thomas* against *Collins*, to which he has referred, the Court discussed and in no way overruled but rather by implication approved the case of *Bryant* against *Zimmerman*

which required the Ku Klux Klan to register in the State of New York and in which case it was held to be not a violation of the Constitution to require the Ku Klux Klan to register, just as the Communists are required to do by this bill. Both are enemies of our free institutions. The wording of the registration statute under review in the *Bryant* case is very similar to the measure before us.

Mr. MARCANTONIO. The gentleman overlooks the distinction I have made. Registration or any other action can be required where the activity constitutes a clear-cut present danger. A clear-cut present danger must be established by judicial process. Remember, in this bill you do not seek to establish clear and present danger by judicial process. You attempt to evade the Constitution, that is, you try to evade the Constitution by attempting to establish it by legislative determination. That is the very, very false foundation upon which this whole legislation is based.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. MARCANTONIO. I yield.

Mr. KEATING. Do I understand the gentleman's contention to be that the Ku Klux Klan does constitute a clear and present danger, but the Communists do not in this country?

Mr. MARCANTONIO. I say to the gentleman that the Ku Klux Klan does constitute a clear present danger.

Mr. KEATING. What about the Communists?

Mr. MARCANTONIO. So far as the Communist Party is concerned, I refer the gentleman to United States against *Schneiderman*. In that decision it is indicated strongly that the Communist Party does not constitute a clear present danger.

Mr. KEATING. What was the date of United States against *Schneiderman*?

Mr. MARCANTONIO. That decision of the Court is one reason why you are seeking to evade the constitutional prohibition against this legislation.

Mr. Chairman, pursuant to permission granted by the House, I annex a brief on this subject.

MEMORANDUM ON THE CONSTITUTIONALITY OF SECTION 8 OF THE MUNDT BILL, H. R. 5852

The Mundt bill is unconstitutional in numerous respects. This memorandum, however, is limited to only one of its constitutional defects: namely, that the registration requirements of section 8 violate the first amendment.

1. Under the terms of the bill, organizations may be required to register solely, or at the very latest largely, because of the doctrines they advocate and the views they express, no matter how peaceably. Thus the tests of whether an organization is a Communist political organization include the expressions of its views and policies, the extent to which these views are the same as those of the foreign controlling country (presumably Russia), and the extent to which it supports or advocates Marxism and Leninism. An organization is a Communist front if it can be reasonably concluded that its views and policies are in general adopted and advanced because they are those of a Communist political organization, Communist foreign government, or the world Communist movement. To be considered are the identity of some of its members and its policy positions.

Under existing conditions, registration obviously subjects the organization, its members and supporters to serious economic, social and political disabilities. Communist has become a bad name in this country; it has even been held to be libellous. People get fired from their jobs, in or out of the Government for being communistic. Many organizations could not survive if they had to adopt a Communist label. Even a frankly Communist organization cannot survive if it must, by listing its members and financial contributors, subject them to these disabilities.

Since these consequences are incurred because of the advocacy of views, the registration requirement effectively restrains such advocacy and the assembly of persons into organizations which advocate such views. Indeed, restraint by exposure is the acknowledged purpose of the bill.

But a restraint of speech and assembly by registration, "exposure" or other means is as unconstitutional under the first amendment as the most direct prohibition. The Supreme Court has repeatedly held that the rights guaranteed by the first amendment cannot be infringed indirectly any more than they can be directly prohibited. This it held in *Murdock v. Pennsylvania* (319 U. S. 105) and *Grosjean v. American Press Co.* (297 U. S. 233), that free speech cannot be indirectly restrained by imposition of license taxes; in *Lovell v. Griffin* (303 U. S. 444), by a system of issuing permits at official discretion; in *Schneider v. Irvington* (308 U. S. 147), by an ordinance aimed at street littering which prevented distribution of handbills.

The proponents of the bill, therefore, are on untenable ground in asserting that the bill is constitutional because it only "exposes" and does not "outlaw." Restraint by "exposure" is as invalid as direct "outlawry." The great debate between Mr. Stassen (who supports the bill because it outlaws) and Mr. Dewey (who supports it because it does not outlaw) is therefore beside the point.

2. What is more, even without the restraint arising from the consequences of registration; the mere requirement of registration is itself invalid when based, wholly or in part, as here, on the expression of views.

In *Thomas v. Collins* (323 U. S. 516), the Supreme Court held a statute unconstitutional, as abridging free speech and assembly, because it required registration, even for identification purposes only, of any person who solicited union membership. The Court said: "As a matter of principle a requirement of registration in order to make a public speech would seem generally incompatible with an exercise of the rights of free speech and free assembly." This decision applies where the speech and assembly concerns political, as well as labor, subjects. Thus the Court also said:

"If one who solicits support for the cause of labor may be required to register as a condition to the exercise of his right to make a public speech, so may he who seeks to rally support for any social, business, religious, or political cause. We think a requirement that one must register before he undertakes to make a public speech to enlist support for a lawful movement is quite incompatible with the requirements of the first amendment."

This bill does exactly what *Thomas v. Collins* holds to be invalid. It requires an organization to register if it advocates certain views. If it does not register, the organization, its officers, and those souls hardy enough to remain members are criminally punished. To avoid punishment, then, the organization must register before it can function and before it can advocate those views. Thus, registration is a condition to the assembly of its members into the organization and to their advocacy of views through the organization.

3. Furthermore, the registration provision is unconstitutional, because by it Congress would be classifying and inquiring into views and opinions. It would classify Marxist views as being "bad" and "dangerous," so that its advocates must register and identify themselves; advocates of other views are not under such requirements. But under the Bill of Rights, Government may not inquire into or classify views and opinions. In *Board of Education v. Barnette* (319 U. S. 624), the Supreme Court said: "If there is any fixed star in our constitutional constellation, it is that no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion, or force citizens to confess by words or deed their faith there."

In *Cantwell v. Connecticut* (310 U. S. 296), the Supreme Court held that a State official could not constitutionally be allowed to determine what causes were religious ones and which were not. In *United States v. Ballard* (322 U. S. 78), the Court held that a jury could not constitutionally, under the first amendment, be allowed to determine whether religious beliefs were true or false.

In short, the first amendment prohibits heresy trials, whether by legislature, administrative official, or jury. The first amendment protects freedom of speech and assembly as much as it protects freedom of religion. Hence, you cannot lawfully declare political views to be politically heretical.

4. Finally, the registration requirement is invalid because it imputes to organizations with many members a description which can be based on the views of some of its members. Guilt by association is unconstitutional. In *Kotteakos v. United States* (328 U. S. 750), the Supreme Court said: "Guilt with us remains individual and personal, even as respects conspiracies. It is not a matter of mass application."

NOTE.—The foregoing memorandum does not discuss one point. A restraint on speech would be valid if the speech presented a "clear and present danger" of a substantive harm which the legislature could directly prohibit. But no such danger exists here. Furthermore, it has been applied only to a particular conduct (as shouting "fire" in a theater), not to general advocacy of principles and ideas. The Court said in *Bridges v. California* (314 U. S. 252): "What finally emerges from the 'clear and present danger' cases is a working principle that the substantive evil must be extremely serious and the degree of imminence extremely high before utterances can be punished."

Mr. KEATING. Mr. Chairman, I move to strike out the last word. I do so only for the purpose of calling the attention of the membership to the fact that the *Schneiderman* case referred to by the gentleman from New York was decided in 1943. A lot of water has gone over the dam since 1943. What was then not a clear and present danger could very well be so today.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield.

Mr. MARCANTONIO. A clear and present danger cannot be established by legislative fiat. That is a question for the courts to determine. You are seeking to establish that by legislative determination. Our Constitution provides that that question must be established by judicial determination. That is why your bill will not stand up.

Mr. KEATING. Does the gentleman have any doubt that in an appropriate proceeding, a judicial determination would establish that communism consti-

tutes a clear and present danger in this country today?

Mr. MARCANTONIO. Here is your answer. You have the McCormack Act. You have the Voorhis Act. Why has not the Attorney General of the United States established it in the courts?

Mr. KEATING. Does the gentleman ask me why the Attorney General has not done something?

Mr. MARCANTONIO. I will tell you.

Mr. KEATING. Mr. Chairman, I refuse to yield further until I answer the gentleman's question.

Mr. MARCANTONIO. Because there is no evidence.

Mr. KEATING. Mr. Chairman, I refuse to yield further.

Mr. Chairman, the Attorney General may have acted properly or may not, but at least he said that some such legislation as this bill providing for registration would assist him in the performance of his duties. That is part of the record. If he has not previously done all that he might have done, I hope the gentleman does not charge that to the present speaker.

If the gentleman is so certain that it will be impossible to establish in court that the Communist menace presents a clear and present danger in this country, if he is so confident that the language in the *Schneiderman* case, decided in 1943 on the state of facts there proved, would be repeated today in the decision of an issue raised by this measure, it is extremely difficult to understand what he fears.

In the light of the march of world events since 1943, particularly the last 3 years, in the face of the tactics adopted by the Communists and their spokesmen and apologists in this country, never more eloquently demonstrated than in their frantic efforts to defeat the measure before us, it impresses me that the scales weigh heavily on the side of those who contend that the clarity and immediacy of the danger is patent. I would much prefer to conclude otherwise. That, however, is realism and my Presbyterian conscience will not permit.

Mr. RANKIN. Mr. Chairman, I rise in opposition to the amendment.

Mr. MUNDT. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield.

Mr. MUNDT. I ask unanimous consent that all debate on this section, and all amendments thereto, close in 7 minutes.

The CHAIRMAN. Is there objection? There was no objection.

THIS IS A DUTY WE OWE TO OUR COUNTRY

Mr. RANKIN. Mr. Chairman, the statement of the gentleman from New York [Mr. MARCANTONIO] certainly drew the line when he said that the Ku Klux Klan was an immediate danger to the country but that the Communist Party was not, and that therefore we have no right to legislate until it becomes an immediate danger.

That sounds like some of the pro-Japanese arguments heard just before the attack on Pearl Harbor.

More than a hundred years ago, Sergeant S. Prentiss, the most eloquent man who ever occupied a seat in this House,

speaking on the subject of self-defense, used this statement:

The principles of self-defense, which pervade all animated nature, and act toward life the same part that is performed by the external mechanism of the eye toward the delicate sense of vision—affording it, on the approach of danger, at the same time, warning and protection—do not require that action shall be withheld till it can be of no avail.

When the rattlesnake gives warning of his fatal purpose, the wary traveler waits not for the poisonous blow, but plants upon his head his armed heel, and crushes out at once his venom and his strength.

When the hunter hears the rustling in the jungle, and beholds the large green eyes of the tiger glaring upon him, he waits not for the deadly spring, but sends at once through the brain of his crouching enemy the swift and leaden death.

If war was declared against your country by an insulting foe, would you wait till your sleeping cities were awakened by the terrible music of the bursting bomb; till your green fields were laid waste and trampled under the hoofs of the invader and made red with the blood of your brethren?

No. You would send forth fleets and armies; you would unloose upon the broad ocean your keen falcons; and the thunder of your guns would arouse stern echoes along the hostile coast.

Yet, this would be but national defense, and authorized by the same great law of self-protection, which applies no less to individuals than to nations.

Here we are, let me say now, representing 140,000,000 American people, with our country threatened with grave danger. Oh, they say it 's not imminent or apparent; but we know it is a lurking danger, and working all the time. It is our duty to legislate against it. It would be silly, it would be stupid, it would be foolish, it would be unworthy of us, as Prentiss said, to wait until our sleeping cities are awakened by the terrible music of the bursting bomb.

That is what some of these Communist-front organizations have been working for, in trying to steal the secrets of the atomic bomb and pass them on to an enemy, an avowed enemy, that is plotting the destruction of this Government. There is no doubt about that. Go down and see the Iron Curtain tonight, and you will be convinced.

Let us make this bill as strong as possible. Let the American people know that we do not propose to temporize with a foreign power, with an alien enemy, that is using every possible effort to undermine and destroy America and American institutions, and to reduce our people to a system of slavery that now prevails in a great many of the countries of the Old World.

The CHAIRMAN. The time of the gentleman from Mississippi has expired. Mr. MARCANTONIO. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MARCANTONIO. What amendment is the gentleman referring to? As I understand it, the only amendment before the committee at the present time is a pro forma amendment.

The CHAIRMAN. That is the amendment to which the gentleman is referring.

Mr. PETERSON. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I am taking these 2 minutes to call attention to certain decisions of the court. We have been discussing from time to time the question of "clear and present danger," and "clear and present need," and so forth. The court in the Pennsylvania case which went to the circuit court of appeals held this:

What the policy of the Communist Party is does not appear from the evidence but courts have long recognized and have taken judicial notice that communism, as a political movement, is dedicated to the overthrow of the Government of the United States (and with it the governments of the States as necessary incidents in our system of divided sovereignty) by force and violence (*U. S. v. Wallis*, 268 Fed. 413; *Skeffington v. Katzeff*, 277 Fed. 129; *Antolish v. Paul*, 283 Fed. 957).

Then the court continues to say:

For ourselves, we are not willing to say that courts are such impotent instruments of government that they may not take judicial notice of facts so well known to the man on the street. Destruction of other existing government by violence is not the suggestion merely of a secret pact among Communists; it is the vaunted objective of the party openly declared by its recognized spokesman. In the meantime, although Communists concede that these ends cannot be attained except by violent and revolutionary processes, they have sought to maintain their status as a legitimate political party entitled to a place on the ballot.

The Arkansas court has held similarly as has other courts.

You cannot expect the Congress to have less knowledge than the man on the street has and if the court takes judicial notice of those particular things, so also can the Legislature. Here we are in the Legislature merely placing in this bill the statement that Congress takes cognizance of the same type of knowledge as does the courts.

I merely wanted to call that to the attention of the Members in order to clarify the situation.

By unanimous consent, the pro forma amendments were withdrawn.

The Clerk read as follows:

MEMBERSHIP IN CERTAIN COMMUNIST POLITICAL ORGANIZATIONS

SEC. 10. It shall be unlawful for any individual to become or remain a member of a Communist political organization, knowing or believing, or having reasonable grounds for knowing or believing, that it is a Communist political organization, if (1) such organization is not registered pursuant to section 8, and (2) the period of time designated in section 8 for registration by such organization has expired.

Mr. NIXON. Mr. Chairman, I offer a committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. NIXON: Page 32, strike out lines 3 to 9, inclusive, and insert in lieu thereof the following:

"SEC. 10. It shall be unlawful for any individual to become or remain a member of any organization if (1) there is in effect a final order of the Attorney General requiring such organization to register under section 8 of this act as a Communist political organization, (2) more than 120 days have elapsed since such order became final, and

(3) such organization is not registered under section 8 of this act as a Communist political organization."

Mr. NIXON. Mr. Chairman, this is a perfecting amendment to section 10 which makes it absolutely clear that members of a Communist political organization will know that the organization has been found to be such an organization before criminal penalties will apply to persons becoming or remaining members under this section. Under the amendment not only must the organization have been found to be a Communist political organization by the Attorney General but a period of 120 days must elapse after the order has become final before criminal penalties apply.

Mr. MARCANTONIO. Mr. Chairman, I rise for the purpose of asking the gentleman from California certain questions in connection with his amendment.

The gentleman's amendment applies to section 10 of the bill and provides that before a person may be indicted for remaining in an organization a final order must have been issued requiring that organization to register. Is not that the tenor of the amendment?

Mr. NIXON. That is correct.

Mr. MARCANTONIO. In other words, unless such an order is issued, continuance of one's membership in an organization no longer constitutes a violation of section 10, as it does in the bill before us. Is that correct?

Mr. NIXON. That is right.

Mr. MARCANTONIO. So much for that point. As the bill was written originally it did. And this gives us an idea how dangerous this bill was, is, has been, and will be. You will find that it was possible under section 10 for a person to have been indicted for remaining a member of an organization even though no order had been issued requiring that organization to register. This again illustrates the dangerous, loose, and careless language of the bill.

Now the committee offers what it calls a perfecting amendment in order to make certain that before a person may be indicted an order must first be issued requiring the registration of that organization. I state that to illustrate again that not only the committee itself but the Members of this House, as time goes on and they continue to study the bill, find in it more and more dangers to the liberties of the American people. But the basic danger which cannot be corrected as far as section 10 is concerned is that here we have section 10 legislating guilt by association. In other words, if a person continues to remain a member of an organization against which an order has been issued requiring the registration of that organization, that person will be declared guilty under section 10. He is guilty of a crime. Of what? Mere association. This is being done despite the clear constitutional prohibition against guilt by association.

Mr. HALE. Mr. Chairman, I ask unanimous consent that the pending amendment be reread.

The CHAIRMAN. Is there objection to the request of the gentleman from Maine?

There was no objection.

The Clerk reread the committee amendment.

The CHAIRMAN. The question is on the committee amendment offered by the gentleman from California [Mr. Nixon].

The committee amendment was agreed to.

The Clerk read as follows:

USE OF THE MAILS AND INSTRUMENTALITIES OF INTERSTATE OR FOREIGN COMMERCE

SEC. 11. It shall be unlawful for any organization which is registered under section 8, or for any organization with respect to which there is in effect a final order of the Attorney General requiring it to register under section 8, or for any person acting for or on behalf of such organization—

(1) to transmit or cause to be transmitted, through the United States mails or by any means or instrumentality of interstate or foreign commerce, any publication which is intended to be, or which it is reasonable to believe is intended to be, circulated or disseminated among two or more persons, unless such publication and any envelope, wrapper, or other container in which it is mailed or otherwise circulated or transmitted bears the following, printed in such manner as may be provided in regulations prescribed by the Attorney General, with the name of the organization appearing in lieu of the blank: "Disseminated by _____, a Communist organization"; or

(2) to broadcast or cause to be broadcast any matter over any radio station in the United States, unless such matter is preceded by the following statement, with the name of the organization being stated in place of the blank: "The following program is sponsored by _____, a Communist organization."

DENIAL OF TAX DEDUCTIONS AND EXEMPTION

SEC. 12. (a) Notwithstanding any other provision of law, no deduction for Federal income-tax purposes shall be allowed in the case of a contribution to or for the use of any organization if at the time of the making of such contribution (1) such organization is registered under section 8, or (2) there is in effect a final order of the Attorney General requiring such organization to register under section 8.

(b) No organization shall be entitled to exemption from Federal income tax, under section 101 of the Internal Revenue Code, for any taxable year if at any time during such taxable year (1) such organization is registered under section 8, or (2) there is in effect a final order of the Attorney General requiring such organization to register under section 8.

CERTAIN ADMINISTRATIVE DETERMINATIONS

SEC. 13. (a) Whenever—

(1) in the case of any organization which is not registered under section 8 of this act, the Attorney General has reason to believe that such organization is a Communist political organization or a Communist-front organization (or the Attorney General is requested, by resolution of either House of Congress, to investigate whether such organization is a Communist political organization or a Communist-front organization), or

(2) the Attorney General receives from any organization registered under section 8 an application that he make a finding that the organization is not a Communist political organization or a Communist-front organization, as the case may be, and by order cancel its registration and relieve it from the requirement of making further annual reports, and such organization, in support of such application, presents evidence which, in the opinion of the Attorney General, makes a prima facie showing that the organization is not a Communist political organization

or a Communist-front organization as the case may be,

it shall be his duty forthwith to institute and conduct a full and complete investigation to determine whether such organization is in fact a Communist political organization or a Communist-front organization, as the case may be. The Attorney General shall not make such a determination with respect to any organization without first affording to it, after timely notice, an opportunity for a hearing.

(b) For the purposes of such investigation the Attorney General, or any officer of the Department of Justice authorized by him, may hold hearings, administer oaths and affirmations, may examine witnesses, and receive evidence at any place in the United States, and may require by subpoena the attendance and testimony of witnesses and the production of books, papers, correspondence, memoranda, and other records deemed relevant to the matter under inquiry. Subpoenas may be signed and issued by the Attorney General or any such authorized officer. Such attendance of witnesses and the production of such documentary evidence may be required from any place in the United States at any designated place of hearing. Witnesses summoned shall be paid the same fees and mileage that are paid witnesses in the district courts of the United States. In case of disobedience to a subpoena the Attorney General may invoke the aid of any court of the United States in requiring the attendance and testimony of witnesses and the production of documentary evidence. Any of the district courts of the United States within the jurisdiction of which such inquiry is carried on may, in case of contumacy or refusal to obey a subpoena issued to any person, issue an order requiring such person to appear (and to produce documentary evidence if so ordered) and give evidence relating to the matter in question; and any failure to obey such order of the court may be punished by such court as a contempt thereof. All process in any such case may be served in the judicial district whereof such person is an inhabitant or wherever he may be found.

(c) The testimony in any hearing conducted under this section shall be reduced to writing and filed in the office of the Attorney General.

(d) If upon an investigation pursuant to clause (1) of subsection (a) of this section the Attorney General determines that the organization is a Communist political organization or a Communist-front organization, as the case may be, he shall make a report in writing in which he shall state his findings as to the facts and shall issue and cause to be served on such organization an order requiring such organization to register as such under section 8 of this act.

(e) If upon an investigation pursuant to clause (2) of subsection (a) of this section the Attorney General determines that the organization is not a Communist political organization or a Communist-front organization, as the case may be, he shall make a report in writing in which he shall state his findings as to the facts and shall by order cancel the registration of such organization and relieve it from the requirement of further annual reports. A copy of such order shall be sent to such organization.

(f) If upon an investigation pursuant to clause (2) of subsection (a) of this section the Attorney General determines that the organization is a Communist political organization or a Communist-front organization, as the case may be, he shall make a report in writing in which he shall state his findings as to the facts and shall issue and cause to be served on such organization an order refusing to cancel the registration of such organization and to relieve it from the requirement of further annual reports.

XCIV—387

Mr. NIXON. Mr. Chairman, I offer a committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. NIXON:

Page 35, line 17, after the period, insert the following new sentence: "Subpoenas shall be issued on behalf of the organization being investigated upon request and upon a statement or showing of general relevance and reasonable scope of the evidence sought."

And on page 35, line 23, after "Attorney General", insert "or such organization."

And on page 36, line 12, after "(c)" and before the word "The", insert the following: "All hearings conducted under this section shall be public. The organization shall have the right to present its case by oral or documentary evidence, to submit rebuttal evidence, and to conduct such cross-examination as may be required for a full and true disclosure of the facts."

Mr. NIXON. Mr. Chairman, I think the purpose of this amendment is quite clear. It is the intention of the committee, through this amendment, to spell out the administrative procedure before the Attorney General with clarity so that there can be no question but that these proceedings are to be held in such a way as to provide a fair consideration of all the facts.

I ask for the adoption of the amendment.

The CHAIRMAN. The question is on the committee amendment offered by the gentleman from California [Mr. NIXON].

The committee amendment was agreed to.

Mr. KERSTEN of Wisconsin. Mr. Chairman, I move to strike out the last word.

Mr. KERSTEN of Wisconsin. Mr. Chairman, in support of the Mundt bill, and particularly section 8 thereof, requiring the registration of Communist political organizations with the Attorney General, I desire to offer in support of this measure some information concerning the effectiveness of section 9 (h) of the Taft-Hartley Act, requiring the officers of labor organizations to sign affidavits that they are not members of the Communist Party.

Recently, in a very able article by James Y. Newton, in the Washington Star of May 9, 1948, he quotes Mr. Denham, the general counsel of the National Labor Relations Board, as follows:

No one feature of the act has received quite so much attention in the public eye as (the one) which deals with non-Communist affidavits. And no other section—nor, in fact, any other law that I know of—has proved to be a more effective weapon against our No. 1 menace, "the infiltration of communism into our basic economic structures."

This statement by the general counsel of the National Labor Relations Board is most significant, and should be persuasive with the Congress of the United States in considering the measure now before us.

Furthermore, I would like to direct your attention to the very able statement of my distinguished colleague, Representative WINT SMITH, of Kansas, on page A2745 of the Appendix of the CONGRESSIONAL RECORD. Under the title of "The Handwriting on the Wall," General

SMITH called attention to the first decertification election held by the National Labor Relations Board at Cordele, Ga. In the plant of the Harris Foundry and Machine Co. the employees voted 138 against the union to 60 for the union. As a result of that election, the Board decertified a local of the steelworkers union. The steelworkers, as you know, have not complied with the act by filing non-Communist affidavits.

Another incident, involving a steelworkers local, is even more dramatic. Quoting again from Mr. Newton's article:

The second happening involves the 1,400 workers of the Nashville Corp., Nashville, Tenn. On August 22, 2 days before the Taft-Hartley Act took effect the steelworkers won easily a collective bargaining representation election among the employees. But, before NLRB could certify the union as bargaining agent, the new law became effective.

CRACK-DOWN RULINGS

Then, the Board ruled it would dismiss all pending cases unless the unions involved filed the non-Communist affidavits and other data required by the new law. The steelworkers decided not to file and the Nashville case, among others, was tossed out, election or no election.

Within a short time, the International Association of Machinists, a complying union, went to work on the Nashville employees. A few weeks ago they asked for a bargaining election. NLRB held the workers had the choice only of voting for the IAM or "no union," that the steelworkers could not appear on the ballot.

A few days ago, the Nashville workers voted 960 for the IAM to 94 for no union. A number of other ballots were challenged. But, the steelworkers lost, at least for a year, the 1,500 members.

On May 17, 1948, the National Labor Relations Board issued a release giving a summary of the first 36 decertification elections held in 17 States and Hawaii. This release was for the period between January 1, 1948, and March 31, 1948. In 25 of the first 36 decertification elections a majority of the employees voted against further representation by the unions previously certified as their representatives. Of the 3,083 eligible voters in these 36 plants 2,730 valid votes were cast, the A. F. of L. receiving 347 votes, the CIO 596, unaffiliated unions 196, and against any union 1,591. This release did not show how many of the 25 unions decertified by the Board had failed to sign non-Communist affidavits.

I thought the Congress would be interested in the reaction of American workmen toward their union representatives who have failed or refused to sign non-Communist affidavits. Therefore, I have secured from the Board a compilation of decertification elections as of May 15, 1948.

In 61 decertification elections from January 1 to May 15, 1948, the Board shows that 39 unions were decertified by a vote of a majority of the employees. Of the 39 unions decertified, the Board's records show that only 9 were in compliance with section 9 (h) of the act and had signed non-Communist affidavits. Of the 22 unions which have won elections, the Board shows 4 noncomplying unions.

These figures clearly indicate, in my opinion, that a majority of the employees throughout our country are resolved to rid themselves of leaders who refuse to go on record as loyal citizens of the United States.

The Clerk read as follows:

JUDICIAL REVIEW

SEC. 14. (a) Such organization may obtain a review of an order issued under subsection (d) or (f) of section 13 in the United States Court of Appeals for the District of Columbia by filing in the court, within 60 days from the date of service upon it of such order, a written petition praying that the order of the Attorney General be set aside. A copy of such petition shall be forthwith served upon the Attorney General, and thereupon the Attorney General shall certify and file in the court a transcript of the entire record in the proceeding, including all evidence taken and the report and order of the Attorney General. Thereupon the court shall have jurisdiction of the proceeding and shall have power to affirm or set aside the order of the Attorney General. The findings of the Attorney General as to the facts, if supported by substantial evidence, shall be conclusive. If either party shall apply to the court for leave to adduce additional evidence, and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for failure to adduce such evidence in the proceeding before the Attorney General, the court may order such additional evidence to be taken before the Attorney General and to be adduced upon the proceeding in such manner and upon such terms and conditions as to the court may seem proper. The Attorney General may modify his findings as to the facts, by reason of the additional evidence so taken, and he shall file such modified or new findings, which, if supported by substantial evidence, shall be conclusive, and his recommendations, if any, with respect to action in the matter under consideration. If the court sets aside an order issued under subsection (f) of section 13 it may enter a judgment canceling the registration of the organization and relieving it from the requirement of further annual reports. The judgment and decree of the court shall be final, except that the same shall be subject to review by the Supreme Court upon certiorari, as provided in section 240 of the Judicial Code, as amended (U. S. C., 1940 ed., title 28, sec. 347).

(b) Any order of the Attorney General issued under subsection (d) of section 13 shall become final—

(1) upon the expiration of the time allowed for filing a petition for review, if no such petition has been duly filed within such time; or

(2) upon the expiration of the time allowed for filing a petition for certiorari, if the order of the Attorney General has been affirmed or the petition for review dismissed by the United States Court of Appeals for the District of Columbia, and no petition for certiorari has been duly filed; or

(3) upon the denial of a petition for certiorari, if the order of the Attorney General has been affirmed or the petition for review dismissed by the United States Court of Appeals for the District of Columbia; or

(4) upon the expiration of 10 days from the date of issuance of the mandate of the Supreme Court, if such Court directs that the order of the Attorney General be affirmed or the petition for review dismissed.

Mr. NIXON. Mr. Chairman, I offer a committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. NIXON:

Page 38, beginning in line 6, strike out the words "substantial evidence" and insert in

lieu thereof the words "the preponderance of the evidence."

Page 38, beginning in line 19, strike out the words "substantial evidence" and insert in lieu thereof the words "the preponderance of the evidence."

Mr. HOBBS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HOBBS. I wish to inquire if my understanding is correct, now that section 14 has been read, that it is open to such amendments as may be offered, whether they come in the order in which they are offered or not.

The CHAIRMAN. The section is open to any amendment that is germane to the section.

Mr. HOBBS. In other words, I have no objection to this amendment, Mr. Chairman, but I have an amendment in line 17, so I do not want to be barred by not offering it before this committee amendment is considered.

The CHAIRMAN. The gentleman will have that opportunity.

Mr. JENNINGS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. JENNINGS. I wish to inquire of the chairman of the subcommittee whether he intends to address the committee in favor of this amendment. It is a vital amendment, and I want to be heard in opposition to it.

Mr. NIXON. Mr. Chairman, I shall only take the time to say this: This amendment has received the consideration of the committee and has the approval of the committee. This is a decision that was made after full consideration of the issues involved. I believe it should be approved by the Committee of the Whole. I recognize that the gentleman from Tennessee [Mr. JENNINGS] is concerned about this amendment, and I respect his opinion on it, but I do feel that the amendment is an additional safeguard in this particularly sensitive branch of the law which should be written into the bill at this point.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. NIXON. I yield to the gentleman from New York.

Mr. MARCANTONIO. Originally the language in the bill provided that if the court found that there was substantial evidence sustaining the findings of fact of the Attorney General the court would not disturb those findings.

Mr. NIXON. I will read the section:

The findings of the Attorney General as to the facts, if supported by substantial evidence, shall be conclusive.

Mr. MARCANTONIO. Now you substitute "preponderance of the evidence"?

Mr. NIXON. That is correct.

Mr. MARCANTONIO. There is a vast difference between the two, yet this committee brought out this bill with "substantial evidence."

Mr. NIXON. Is the gentleman opposed to the amendment?

Mr. MARCANTONIO. I do not oppose the amendment, I oppose the bill, and I

will discuss the "preponderance of the evidence" in my own time later.

Mr. HALLECK. Mr. Chairman, will the gentleman yield in order that I may ask a question of the gentleman from New York [Mr. MARCANTONIO]?

Mr. NIXON. I yield to the gentleman from Indiana.

Mr. HALLECK. Is it not true that the gentleman has consistently opposed the various methods that have been suggested to change the substantial evidence rule in connection with the findings of the National Labor Relations Board, the Federal Trade Commission, the Securities and Exchange Commission, and various other administrative agencies of the Government?

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield to permit me to answer the distinguished majority leader?

Mr. NIXON. I yield to the gentleman from New York.

Mr. MARCANTONIO. There is a vast difference. Here you are legislating a criminal statute. Here you are again substituting legislative determination for judicial determination by giving to the Attorney General the power to make findings upon which a criminal case can be based. It is an entirely different story.

Mr. HALLECK. It just so happens that there is a criminal penalty in the Federal Trade Commission Act.

Mr. MARCANTONIO. Yes, but they are not tied up this way.

Mr. HALLECK. There the substantial evidence rule applies. It also happens that the procedure involved in all these administrative agency operations may start with a cease and desist order, to be followed by an injunction in court, and, if there is failure to comply, a man can be put in jail for refusal to comply. I submit that the order entered by the Attorney General as contemplated in this proposal is an administrative ruling to be rendered by him after a hearing. It is on exactly the same plane as the order entered by other administrative agencies. The fact that it is the same is evidenced by the fact that the appeal is to the Circuit Court of Appeals in the District of Columbia, even as decisions and rulings from other administrative branches of the Government go either to the District Court of Appeals or to the circuit courts of appeals all over the country.

Mr. MARCANTONIO. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I do this for the purpose of answering the majority leader. First of all, you are substituting here a rule of evidence as applied to a civil administrative proceeding. You are substituting that for a rule of evidence which has always been applied in a criminal proceeding; namely, quite beyond a reasonable doubt. Let us look at this thing a moment, and you will see the difference between the SEC regulations, the National Labor Relations Board regulations and sections 13 and 14 of this bill. Here we must examine section 13, the registration section, and then section 14, the judicial review section. You must read those sections in connection with section 4, because an administrative finding is made pursuant to section 13, and then a review pursuant to section 14,

that finding becomes a predetermined issue of fact in a criminal case. That finding pursuant to section 13 and then determined after review under section 14 becomes an executive finding of fact in a criminal trial not subject to consideration by a jury. Under section 4 a person is indicted for being a member of a Communist political organization. Again I take the gentleman back to the original proposition: Membership in a Communist political organization has been determined to be membership in an organization whose activity is a violation of section 4. This follows as a result of the finding by the Attorney General and the legislative finding in subsection 6 of section 2 of the bill. In other words, a court or a judge cannot submit that question to the jury. It is a question of fact which has been determined before trial. It should be a question of fact. It should be determined, but by whom? By the jury. But as a result of these administrative proceeding sections and judicial review sections, you have taken that very fundamental question of fact away from the jury and have given the power to make that finding to the Attorney-General to be reviewed subsequently by an appellate court. You have by-passed the jury trial entirely—on what? On the issue that constitutes the very foundation upon which the criminal proceeding is based.

Mr. CASE of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield.

Mr. CASE of New Jersey. I am very glad that the gentleman brought that question up. It was mentioned several times before. I will stake any legal reputation that I may ever have or have now on this proposition: That for the purposes of section 4 the question of guilt is an issue of fact to be determined entirely by the jury. It may be evidence in a trial under section 4 that in an administrative proceeding under another section of the act the Attorney General, perhaps with the courts upholding him on appeal, made a finding on the same issue of fact. But for the purpose of the criminal trial, the jury must decide the issue for itself, and the Attorney General's finding in the other proceeding will be only evidence and in no way conclusive in the criminal case.

Mr. MARCANTONIO. The gentleman must remember that time and time again in a criminal proceeding there is a certain question of fact that the court will not leave to the jury. This is one question of fact which we have taken away from the jury by sections 2, 13, and 14 of this bill. It is my considered judgment that on an instruction to charge made by defendant's attorney in which he asks the judge to charge whether or not defendant's organization is a Communist political organization is a question of fact to be determined by the jury in finding whether or not the defendant is guilty. I say to the gentleman that as a result of this legislation, the court will be constrained to refuse to so charge and must instead charge that membership in an organization which the Attorney General has decreed to be a Communist political organization constitutes an attempt to set

up or an attempt in any manner to set up a totalitarian dictatorship in violation of section 4. That is why I say to the gentleman from Indiana there is a tremendous difference between this statute and the SEC statute.

Mr. JENNINGS. Mr. Chairman, the amendment proposed by the committee fundamentally and in a far-reaching manner, I think, weakens this bill and extends a privilege to Communists which no good citizen has ever been accorded under the law, when his rights come before any administrative agency set up by the Federal Government. In other words, when an administrative agency, such as has just been mentioned by the distinguished majority leader, made a finding of fact upon substantial evidence, that finding of fact was binding upon any tribunal to which that case might have been carried. Pursuant to this policy now proposed toward these admitted enemies of this country, in their efforts to overthrow and destroy it and in their effort to avoid the provisions of this law requiring them to register, if they are found by the Attorney General to be a Communist organization or a Communist-front organization, upon a full and fair hearing, in which they have the right to subpoena and the right to introduce evidence, either oral or documentary—if upon such a hearing he makes his finding, that finding is conclusive in event the case goes to an appellate court for review. This proposed amendment puts the burden upon the appellate court of weighing the testimony and determining whether or not the finding of the Attorney General is supported by a preponderance of the evidence. That is a protection that is not now accorded any other citizen in the land, either under the law with respect to findings of an administrative agency of the Federal Government or in the case of any citizen whose case is tried by a judge without the intervention of a jury. In other words, there is a presumption of the correctness of the findings of the Attorney General if there is substantial evidence to support his findings.

There is this other provision: If the Attorney General learns of additional evidence, or if additional evidence is called to his attention that may lead him to come to a different conclusion, he may consider such evidence, and if he feels the ends of justice will be met by his considering such evidence, he may make a different finding of fact, and that can go before the appellate court and be considered by it.

The whole committee came in here with a bill that has received the commendation of the press of the country, and which I want to support, but I do not like this shilly-shally performance, this idea of marching up the hill and marching back down again; this surrender to these subversive elements that are undertaking to destroy this country. Just when will we get hard in this country? Just when will we line up with the decent citizens of this country? Just when will we stand by its institutions? Just when will we reach the end of that tolerance

with which we have heretofore indulged these Communists? Are you afraid of them? Who are you following in this matter?

Mr. WALTER. Mr. Chairman, will the gentleman yield?

Mr. JENNINGS. I yield.

Mr. WALTER. The gentleman does not contend that the preponderance-of-evidence rule goes as far as the rule applicable in criminal cases, in which it is beyond a reasonable doubt?

Mr. JENNINGS. Oh, no; of course not. Any Communists, Communist organizations, or Communist-fronts who are indicted under this proposed act can only be convicted upon evidence that establishes their guilt beyond a reasonable doubt. Any trial upon an indictment under section 4 of this bill has no relation whatever to the question of whether or not the Attorney General has found upon substantial evidence that an organization is communistic or a Communist-front as defined by the proposed act.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. HALLECK. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, my understanding is that this proposal was submitted to members of the subcommittee by the various interested parties, and in substance has been agreed upon. I am not going to quarrel with that circumstance although I knew nothing of it. However, I do think that at this time I ought to make a statement as to what I see the issue to be and what its effect otherwise may be.

The growth of administrative law, of course, is one of the greatest developments of the American scene. As the great body of administrative law has developed and as we have seen this great extension of administrative agencies we have constantly been confronted with the question as to what sort of judicial review should be given a person feeling himself aggrieved by the decision of the administrative agency.

Through all of this administrative law we have treated the decisions of the agency as final on the facts subject to a review in the courts under the substantial evidence rule. Under that rule the courts have found that if there is any evidence to support a decision of the administrative agency it will not disturb the findings. In other words, we have in effect given the decision and determination of the administrative agency the same position in the courts of the land as we give to the district courts of the country when trying cases de novo. As we have gone along we have been constantly asked for a more effective judicial review. Many have believed that to have a complete review of all of the facts would so burden the courts that they never could get their work done. Many have expressed disappointment over the operations of the substantial evidence rule. So, for several years, in the writing of legislation dealing with certain administrative agencies we have been struggling for some halfway point between a complete review and the substantial evidence rule.

In the Taft-Hartley Act, for instance, I believe the substantial evidence rule was amended to read that the decision shall be affirmed if it is supported by substantial evidence taken on the record as a

whole. In other cases we have used the words "unless it is shown to be clearly erroneous or manifestly against the weight of the evidence."

This provision that we are now considering applies to the administrative decisions of the Attorney General acting under the provisions of this act. In my opinion those decisions, those orders rendered after hearing are exactly like the decisions rendered in the Wage-Hour Division, the National Labor Relations Board, the Federal Power Commission, the Federal Trade Commission, the Securities and Exchange Commission, the Pure Food and Drug Administration, and many others that might be named.

The question that arises in my mind is simply this, if this bill becomes law—and I hope it does become law—if we are going to the extent of saying that on judicial review the court shall weigh the evidence, and thus depart completely and entirely from the substantial evidence rule, then what are we going to say to those who come to us who feel themselves aggrieved by rulings of other administrative agencies and then demand that we give them the same sort of judicial review that is here provided? And I might say parenthetically—I made some brief reference to it a moment ago—that many of those who will insist that in this review of the administrative decisions provided for in this act, we must depart from the substantial evidence rule and provide for a real review of the facts, are the very people who have contended most vigorously against any effort to relax the substantial evidence rule in other cases. I see here the gentleman from Pennsylvania [Mr. WALTER] who is a coauthor of the Walter-Logan bill in which bill we struggled with this problem. I have heard the debates here when people opposing this whole measure have argued that we should not relax the substantial evidence rule at all. Possibly this will mark a good move in the right direction. Possibly this will set in motion a drive for a more effective review in connection with some of these other administrative agencies; and certainly I am not opposed to that.

Mr. RANKIN. Mr. Chairman, I rise in opposition to the pending amendment.

Mr. Chairman, the subcommittee may have approved this amendment but it certainly does not meet with my approval. If you are going to water this bill down you might as well strike out the enacting clause and let it go at that.

A while ago you voted down an amendment to have these Communist-front organizations register their membership with the Attorney General; then in a moment or two you adopted an amendment on page 32 that gives them, you might say, 120 days of grace. Think what could happen in 120 days with Communists boring from within, with our enemies plotting war from without.

I agree with the gentleman from Tennessee [Mr. JENNINGS]. You now attempt to give them a preference by wiping out the question of substantial evidence and making it preponderance of the evidence.

The gentleman from Pennsylvania [Mr. WALTER] a while ago raised the ques-

tion that you should have to prove guilt beyond a reasonable doubt. That is the rule when you are trying a criminal, trying a man for a criminal offense, for which he has been indicted. In order to indict him in any common-law court in America the requirement is that the "proof must be evident or the presumption great."

That is what substantial evidence means. When the Attorney General has the substantial evidence he has the right to issue this order.

I am opposed to watering this bill down. Mr. MUNDT. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from South Dakota.

Mr. MUNDT. I may explain to the Committee, because the gentleman from Tennessee indicated this is a committee amendment, that it is an amendment offered by the subcommittee. It has never been acted on either way by the full committee. We agreed that it should be left to the Members of the House to decide. I expect to support the legislation as it is written. I agree with the gentleman from Tennessee and my colleague who is speaking that we should not give communism any greater advantage than we give others in this country. The difference between the two versions is not great, and H. R. 5852 will remain an effective curb to communism regardless of the vote on this.

Mr. RANKIN. I agree with the distinguished gentleman from South Dakota. This amendment should be voted down.

Let us not temporize with the enemy that you know is plotting the overthrow of our Government and the destruction of our civilization.

It is time for the Members of the Congress of the United States to stand up and pass laws that will protect this country now and for all time to come.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. HOBBS. Mr. Chairman, I rise in support of the pending amendment.

Mr. Chairman, never did I think that the gentleman from Tennessee, Judge JENNINGS, or the distinguished majority leader would ever rise on this floor and support the New Deal version of what it was pleased to call law. I glory in the spunk of the subcommittee, and whether the full committee agrees or not, I submit that the amendment of the subcommittee, as offered here by its chairman, is absolutely right.

The section sought to be improved by this amendment applies only to judicial review, which is essentially civil, and is according to all of the law that has ever been written in the books only a question of where the scales of justice find equipoise, or the weight of the evidence on one side or the other. The burden of proof need only be borne by evidence sufficient to preponderate; not, as in criminal cases, "beyond all reasonable doubt."

This thing is right, men. Just because during the days that you call "the era of the New Deal" such mistakes were made, and this "substantial" evidence rule adopted, does not justify you ardent critics of "the New Deal" in copying the same mistake. Neither you nor I ever

have believed it was right to deprive an American citizen, whether he be a Communist or not, of the right that every American citizen has to have the charge against him weighed fairly on appeal and to require that it be established by the weight of the evidence; or, in other words, the preponderance. And no one else can fairly challenge the right to that kind of review.

Mr. HAND. Mr. Chairman, will the gentleman yield?

Mr. HOBBS. I am glad to yield to the gentleman from New Jersey.

Mr. HAND. Moreover, does not the gentleman from Alabama see a very great difference between the Securities and Exchange Act, for example, which has been referred to, which involves the registration of some stock certificates, and a proceeding in which ultimately one is branded as a Communist?

Mr. HOBBS. Of course, there is that difference. There is not a single illustration on the books where this "substantial" evidence rule has been written, that I have not inveighed against. No one knew what it meant until it was defined by the Supreme Court, and now, by several decisions, it has been held to mean practically the same as the "preponderance" or the "weight" of the evidence.

Mr. NIXON. Mr. Chairman, will the gentleman yield?

Mr. HOBBS. I will be so happy to yield.

Mr. NIXON. Is not the gentleman's point this, the fact that the Congress may have during the thirties adopted various pieces of legislation setting up administrative procedures in which punishment resulted on the basis of the substantial evidence rule, and the fact that that was done is certainly no argument that it was right at that time, and we cannot rectify the mistake now by requiring the same amount of evidence that should be required in reviewing these administrative procedures.

Mr. HOBBS. Not only so, but 10 wrongs do not make 1 right. There is no justification for the "substantial" evidence rule. There is utterly no way to attempt to justify a wrong rule of law on judicial review, if you call it judicial, and I care not who the defendant is. If a defendant has a right to have his case considered and reviewed by an appellate court, and here the review is to be by a three-judge court, a circuit court of appeals, he has a right to fair judgment as to how the evidence preponderates, pro or con.

I submit that these gentlemen, just because they go New Deal, in their old age, have no right to "doctor" the scales of justice by again adopting a discredited criterion.

Mr. KERSTEN of Wisconsin. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the gentleman from Pennsylvania, I believe, put his finger on the proposition involved here. We are not dealing with the same situation here as you are with the SEC. The first part of this bill spells out the nature of the Communist conspiracy. The terms in the preamble of the bill are, of course, quite opprobrious because of the oppro-

rious nature of the conspiracy itself, so that designation as a Communist organization or Communist front organization has a bad connotation. Therefore, we are dealing here with the reputations of individuals. If the substantial evidence rule were permitted to remain in the bill as it originally was, an Attorney General could, after an insufficient investigation and hearing, make a decision that a certain organization was a Communist front. Now, he could do that using even the weaker evidence. He could make a mistake and he could make a bad mistake, and it could go up to the court on appeal, the Appellate Court, and if there was substantial evidence there, even though it would be weaker evidence, then this organization is branded as a Communist organization or Communist front, and every individual aligned therewith would be also so branded. As one of Shakespeare's great characters said, "Who steals my purse steals trash." His reputation is as valuable to him as his life itself. Under this amendment the court on appeal must determine the greater weight of the evidence; the evidence must preponderate. I believe that is the only fair rule when you are dealing with the reputations of American citizens. The evidence should preponderate that the organization is a Communist front or a Communist political organization. So I support the amendment requiring "the preponderance" as a safeguard against the administrative procedure that could otherwise affect the reputation of citizens upon insufficient evidence.

This measure is an intelligent approach to handling the Communist conspiracy. It cuts the foreign ties of American Communists and forces them into the open where the American people can see them. If the American Communist Party withers and dies as thus cut off it will be because tyranny does not grow on free American soil unless it have secret nurture from abroad.

Mr. MUNDT. Mr. Chairman, I ask unanimous consent that all debate on this amendment close in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. COMBS].

Mr. COMBS. Mr. Chairman, the amendment we are considering would substitute the words "preponderance of the evidence" in lieu of the words "substantial evidence" as applied to administrative findings when such determinations are on appeal and before the Court. I disagree with the contentions of the distinguished gentleman from Tennessee [Mr. JENNINGS] that this change is not needed and that it would place an undue burden on the prosecution and give an undue advantage to those who might be accused of violations of the penal provisions of this bill. Let us see if we can get back in our minds just what this question of the preponderance of the evidence would mean to a defendant prosecuted under the section of the bill to which it is to be added. The penalties prescribed against an individual would be predicated upon his joining or remain-

ing in an organization proscribed by the Attorney General by a final order as an organization that was required to register but had not done so. Suppose an individual is indicted under that provision and haled into court. His defense might well be, "In the first place, I am not a Communist, and in the second place, the organization I joined or remain in is not Communist and does not come within the prohibitions of the law."

If we do not put this "preponderance" provision in the bill and there is any evidence to sustain the original finding that this was the kind of an organization that would subject the defendant to the penalty by his remaining in it, he has part of his defense shut off by the administrative finding previously made simply under a rule of substantial evidence. I think that is vital and goes to the question of a man's right to defend himself in court.

Something has been said about extending privileges to Communists by the committee amendment. Let us take a look at that a moment. The original Mundt bill, incidentally, would have required the registration of Communist organizations or Communist-front organizations, and confined itself to that, so that the American people might know at all times the outfits that are flying under false colors and inducing people innocently to join up with them and lend their support to them.

I think we would have had a better bill if we had limited this bill to that. But the present bill substituted for the Mundt bill goes further and prescribes penalties for private individuals for their activities. So we enter there into the field of criminal law and apply it to the individual. I think we must surround that with every possible safeguard. I doubt seriously that those provisions can be held valid because of their very uncertainty, and I do not agree with them. They are not sound and will not work. But I can find it possible to support the bill because of its purposes and the need to expose those organizations which go under false colors as patriotic organizations, as well as other forms of fronts. However, we should surround this bill with the same safeguards that private individuals who may be accused of crime are given. It is not a question of protecting Communists, but only the question of protecting the right of an American citizen haled into court and charged with violation of some law, to be charged and tried in accordance with the criminal laws of his country, so that he may have the safeguards that have always been provided for him. I think this amendment is badly needed if this bill is going to be enacted into law and I certainly think we should adopt it promptly.

The CHAIRMAN. All time has expired on this amendment.

The question is on the amendment offered by the gentleman from California [Mr. NIXON].

The amendment was agreed to.

Mr. HOBBS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HOBBS: On page 37, line 17, after the words "such organization", insert "or any person affected."

Mr. HOBBS. Mr. Chairman, this is a very simple amendment and only gives the same right of judicial review to every individual affected by this law that is granted to organizations affected. I do not see why there ought to be any argument about it, and I do not believe the amendment will be opposed. I ask you to give that right to every American citizen, many of whom ignorantly or carelessly have gotten in bad company. You give that right to the accused organization, but you give no right of appeal to any individual. This amendment corrects that inequity.

Mr. MUNDT. Mr. Chairman, I rise in opposition to the amendment. If the gentleman would read carefully the sections to which it refers, namely sections (D) and (F), those sections of the bill do not require registration of individuals at all. Those sections of the bill require registration of the group or organization. So there is no good reason that I can see to give individuals an opportunity to obtain a review of an order issued under subsections (D) and (F) which does not apply to individuals at all.

Mr. HOBBS. Mr. Chairman, will the gentleman yield?

Mr. MUNDT. I yield.

Mr. HOBBS. I have read the sections carefully. My thought is that where I join an organization in perfect innocence, and that organization is declared to be one of these Communist organizations, then I would lose my job if I were a Government employee or any of the other pains and penalties provided in this act would apply to me. If I am wrong about that, of course, I would have no objection to the language remaining as it is.

Mr. MUNDT. The organization makes the registration. The organization has the right of review. The individual is taken care of in the earlier section of the bill where he is certified directly from the Attorney General and notified of the fact that he has been so listed. The procedure is set forth there. I think this amendment would confuse the situation and make it unworkable.

Mr. HOBBS. Mr. Chairman, with that statement by the distinguished chairman of the full committee, I would be delighted to withdraw my amendment and ask unanimous consent that I may withdraw my amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. HOBBS. Mr. Chairman, I offer another amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. HOBBS: On page 38, after the period in line 3, strike out everything through the period in line 7 and insert "Thereupon the court shall have jurisdiction of the proceedings and shall review the case both as to matters of law and of fact, and shall affirm the findings of the Attorney General as to the facts, if supported by the preponderance of the evidence, but if in the opinion of the court such findings are erroneous as to the law, or not supported by the preponderance of the evidence, they may be set aside."

Mr. HOBBS. Mr. Chairman, I understand the committee gave consideration

to this amendment and is in accord with it and will accept it. Is that true?

Mr. NIXON. Mr. Chairman, will the gentleman yield?

Mr. HOBBS. Yes, sir; of course.

Mr. NIXON. The gentleman presented the amendment to me and I discussed it with members of the committee. The difficulty that we see with the amendment, after discussing it also with the legislative counsel, is that it attempts to set forth language which is novel in this particular field, and which would result, in effect, we believe, in getting the judicial review of these proceedings tied up in courts for a considerable length of time. For that reason, the committee came to the conclusion that it would prefer to support the amendment as the committee presented it, the preponderance of evidence, supported by substantial evidence.

Mr. HOBBS. That means that we have to submit it to the House, which I always welcome.

The only point in this amendment is simply this: There is no use whatever in giving to any group or any person on these issues a review of the law. What is the law? That they must register. So it is always and only a question of fact as to which anyone charged with violating this act has need of review. Therefore, this amendment simply says that this same court, three circuit court judges, shall consider the case. We vest the authority in them to consider it, and consider it both as to matters of fact and of the law. If the court decides that the Attorney General's decree is supported by a preponderance of the evidence, they must affirm. If not, they reject it. So, it simply gives anyone accused of violating this act the right of real review, both as to the law and as to the facts.

Mr. FERNANDEZ. Mr. Chairman, will the gentleman yield?

Mr. HOBBS. I am always delighted to yield to my friend.

Mr. FERNANDEZ. I thank the gentleman. The gentleman from South Dakota [Mr. MUNDT] stated to the gentleman from Alabama that under this bill the organization listed the members, and that the members are then notified and given an opportunity to clear themselves. I cannot find a provision whereby the members may have an opportunity of clearing themselves. I called attention to that earlier today and I am still looking for it. Nobody has ever told me yet where it is. I think it is very important.

Mr. HOBBS. I agree with the gentleman. I yield to the distinguished gentleman from South Dakota to inform the gentleman where it is. I do not know. It has nothing to do with this amendment, however.

Mr. FERNANDEZ. But it had something to do with the amendment which was withdrawn, because none of these provisions are in this bill.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. HOBBS. I am so happy to yield to the distinguished gentleman from Mississippi.

Mr. RANKIN. If a man is a member of an organization that is making war on the United States he ought not

have to go into court to prove that this man who is a member of that organization is guilty of a criminal offense. Substantial evidence ought to be sufficient to put him on notice that he cannot run around here as a traitor to this country and then plead that he is entitled to a fair trial. That is what Eisler did. He said, "I am the subject of persecution. I am a refugee from persecution." Come to find out, he was teaching that Communist school in Moscow.

Mr. HOBBS. I agree with the gentleman to this extent that we ought to write this law so that there could be no doubt that everyone accused would get a fair trial and justice. That is all I am asking.

The CHAIRMAN. The time of the gentleman from Alabama [Mr. HOBBS] has expired.

Mr. NIXON. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. NIXON. Mr. Chairman, I realize that the distinguished gentleman from Alabama [Mr. HOBBS] has offered this amendment in an attempt to improve the administrative procedure section and that he is one of the most respected judicial authorities in the House. As I stated, however, when the gentleman so kindly yielded to me, the Committee believes that this amendment should be voted down for the reason that I mentioned, that it would in effect set up a novel procedure and novel language which would result in judicial controversy over a long period of time and in effect would hinder effective prosecution under the act.

I ask that the Committee reject the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama.

The question was taken; and on a division (demanded by Mr. HOBBS) there were—ayes 38, noes 88.

So the amendment was rejected.

Mr. WALTER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WALTER: On page 38, line 10, after the word "material", strike out "and that there were reasonable grounds for failure to adduce such evidence in the proceedings before the Attorney General."

Mr. WALTER. Mr. Chairman, under the review section of the bill as a condition precedent to having additional evidence considered by the Attorney General it is necessary to establish two things: One, that the evidence is material; and, two, there must be shown to the court a reason why it was not adduced at the original hearing. It certainly seems to me that in a statute of this sort, and this is a rather peculiar statute, there is no mistake about that, if there is any material evidence in existence, a person ought to be, as a matter of fact, permitted, after satisfying a court that it is material, to introduce that evidence without first being compelled to explain to the court's satisfaction the reason why

the evidence was not adduced originally.

Mr. MUNDT. Mr. Chairman, will the gentleman yield?

Mr. WALTER. I yield to the gentleman from South Dakota.

Mr. MUNDT. The members of the Committee on this side have no objection to the amendment and unless somebody on the other side objects to it, we will accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. WALTER].

The amendment was agreed to.

The Clerk read as follows:

PENALTIES

Sec. 15. (a) Any person failing to register or to file any registration statement or annual report as required by section 8 of this act shall, upon conviction thereof, be punished by a fine of not less than \$2,000 and not more than \$5,000; except that in case such failure is on the part of the executive officer (or individual performing the ordinary and usual duties of an executive officer) or secretary (or individual performing the ordinary and usual duties of a secretary), or any other officer, of an organization required to register under such section 8, the punishment for such failure shall be a fine of not less than \$2,000 and not more than \$5,000, or imprisonment for not less than 2 years and not more than 5 years, or both such fine and imprisonment. For the purposes of this subsection, if there is in effect with respect to an organization a final order of the Attorney General requiring it to register under section 8, each day of failure to register, whether on the part of the organization or any individual, shall constitute a separate offense.

(b) Whoever, in a registration statement or annual report filed under section 8 of this act, willfully makes any false statement or willfully omits to state any fact which is required to be stated, or which is necessary to make the statements made or information given not misleading, shall, upon conviction thereof, be punished by a fine of not less than \$2,000 and not more than \$5,000, or by imprisonment for not less than 2 years and not more than 5 years, or by both such fine and imprisonment.

(c) Any person violating any provision of this act for violation of which no penalty is provided by section 4 or by subsection (a) or (b) of this section shall, upon conviction thereof, be punished by a fine of not more than \$5,000, or by imprisonment for not more than 2 years, or by both such fine and imprisonment.

Mr. McDOWELL. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, this has been one of the hardest and longest debates, in the Eightieth session of the Congress. In the judgment of the Committee on Un-American Activities and to assuage the feelings and the thoughts of the Members, particularly those Members from metropolitan areas, I would like to remind you that when the debate opened on Friday it was discovered that thousands and thousands of forged telegrams, forged letters, and forged petitions had come into Washington to various Members of Congress. It is a known fact, it is an announced fact, that the Communist Party of the United States is now in the act of raising a half-million dollars to defeat this bill. How they expect to use this money I do not know.

Into Washington in the last 24 hours have come many, many telegrams, principally from the great cities of the Na-

tion, from Los Angeles and the area thereabouts, from Boston, from Chicago, from New York, from my own city of Pittsburgh, and from many other places. In checking last night we discovered, particularly from the city of New York, that the same thing is going on now and probably will go on when this bill moves to the other body that has been going on for the last week.

Let me read you the statement of the employee of one of the Western Union telegraph offices in the city of New York:

As one who is employed in the Western Union, I would suggest that you or the FBI survey all the original telegrams filed in New York City for transmission to Washington which protest the passing of the Mundt bill. You will find long petitions all in the same handwriting, and many individual telegrams all signed by different names in the same handwriting, and we who work here recognize many as coming from the same groups who protested the holding of the Communist deportees at Ellis Island.

There are other words here too and a signature, which I will not reveal for very obvious reasons.

By the time this reaches the other end of the Capitol we hope to have the evidence completely in our hands that the same organizations and the same individuals and the same groups that sent thousands of telegrams to President Truman protesting his recognition of the Greek Government, the sending of troops to Korea, and protesting other things that Stalin does not want done so that the perpetual onward movement of Communist Russia may continue, that the same organizations, the same American Communist Party directed by the Kremlin in Moscow has been doing this.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. HOBBS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Hobbs: Page 41, between lines 8 and 9, insert the following additional section to be numbered 16 and change the number of section 16 in line 10 to section 17:

"That the existing text of section 20 of the Immigration Act of February 5, 1917, as amended (39 Stat. 890; 57 Stat. 553; 8 U. S. C. 156), is hereby designated as subsection (a) of section 20 of that act.

"Sec. 2. That the first sentence of said section 20 (a) of that act, as established by section 1 of this act, is hereby amended to read as follows:

"Sec. 20. (a) That the deportation of aliens provided for in this act and all other immigration laws of the United States shall be directed by the Attorney General, within his discretion and without priority of preference because of their order as herein set forth, either to the country from which such alien last entered the United States; or to the country in which is located the foreign port at which such alien embarked for the United States or for foreign contiguous territory; or to the country in which he resided prior to entering the country from which he entered the United States; or to the country which had sovereignty over the place where such alien was born at the time of his birth; or to the country of which such an alien is a subject or citizen; or to the country in which he was born; or to the country in which the place of his birth is situated at the time he is ordered deported; or, if deportation to any of the said foregoing places or countries is impracticable or

impossible, then to any country which will agree to accept such alien into its territory."

"Sec. 3. That the last sentence of said section 20 (a) of that act, as established by section 1 of this act, is hereby amended to read as follows:

"Pending final determination of the deportability of any alien taken into custody under warrant of the Attorney General, such alien may, in the discretion of the Attorney General (1) be continued in custody; or (2) be released under bond in the amount of not less than \$500, with security approved by the Attorney General; or (3) be released on conditional parole. It shall be among the conditions of any such bond, or of the terms of release on parole, that the alien shall be produced, or will produce himself, when required to do so for the purpose of defending himself against the charge or charges under which he was taken into custody and any other charges which subsequently are lodged against him, and for deportation if a warrant for his deportation is issued. When such a warrant of deportation is issued against any alien, the Attorney General shall have a period of 6 months from the date of such warrant within which to effect the alien's departure from the United States, during which period, at the Attorney General's discretion, the alien may be detained, released on conditional parole, or upon bond in an amount and specifying such conditions for surrender of the alien to the Immigration and Naturalization Service as may be determined by the Attorney General. If deportation has not been practicable, or departure of the alien from the United States has not been effected, within 6 months from the date of the warrant of deportation the alien shall become subject to such further supervision and detention pending eventual deportation as is authorized hereinafter in this section."

"Sec. 4. That section 20 of that act, as amended by sections 1, 2, and 3 of this act, is hereby further amended by adding the following new subsections:

"Any alien, against whom a warrant of deportation, heretofore or hereafter issued, has been outstanding for more than 6 months shall, pending eventual deportation, be subject to supervision under regulations prescribed by the Commissioner of Immigration and Naturalization, with the approval of the Attorney General. Such regulations shall require any alien subject to supervision (1) to appear from time to time before an officer of the Immigration and Naturalization Service for identification; (2) to submit, if necessary, to medical and psychiatric examination at the expense of the United States; (3) to give information under oath as to his circumstances, habits, associations, and activities; and (4) to conform to such reasonable written restrictions on his conduct or activities as are prescribed by the Commissioner of Immigration and Naturalization in his case. Any alien who is found by the Attorney General to have willfully failed to comply with such regulations, or to have willfully failed to appear to give information or submit to medical or psychiatric examination if required, or to have knowingly given false information in relation to the requirements of such regulations, or to have knowingly violated a reasonable restriction imposed upon his conduct or activity, shall be thereafter detained in accordance with subsection (c) until such time as the Attorney General orders other disposition of the alien's case. Nothing in this subsection shall preclude the Attorney General at any time from directing removal of any alien of the classes described in subsection (c) from supervision under this subsection to detention as prescribed in subsection (c).

"(c) Any alien who falls within one or more of the classes of deportable aliens described in section 19 (d) of this act, and any other alien, regardless of the charge or charges in the warrant of deportation against him, who entered the United States within

10 years preceding the issuance of a warrant of arrest against him, may, in the discretion of the Attorney General, be denied the privilege of release under supervision as provided in subsection (b), and instead the alien may be taken into custody and transported to such place of detention as may be designated by the Attorney General and there, or at any such other place or places as may thereafter be designated by the Attorney General, be detained, though not at hard labor, pending eventual deportation, or until departure from the United States otherwise shall have been arranged, or until the Attorney General upon sufficient evidence of good cause shall order supervision of the alien under subsection (b). In determining whether good cause has been shown to justify releasing the alien and ordering his supervision under subsection (b), the Attorney General shall take into account such factors as (1) the age, health, and period of detention of the alien; (2) the effect upon the national security and public peace or safety; (3) the likelihood of the alien's resuming the course of conduct which made him deportable; (4) the character of the efforts made by such alien himself and by representatives of the country or countries to which his deportation is directed to expedite the alien's departure from the United States; (5) the reason for the inability of the Immigration and Naturalization Service to secure passports or other travel documents from the country or countries to which the alien has been ordered deported; and (6) the eligibility of the alien for discretionary relief under the immigration laws.

"(d) Any alien subject to detention under subsections (b) or (c) of this section may be released, in the discretion of the Attorney General, from detention under subsection (c) and placed under supervision under subsection (b), on a showing which shall satisfy the Attorney General that the alien has obtained a travel document or made other approved arrangements to leave the United States, and, if considered necessary, upon giving a departure bond conditioned as prescribed by the Attorney General, with good and sufficient sureties approved by the Attorney General. Should any alien return to the United States after having departed pursuant to this subsection and be excluded and his deportation following such exclusion be impracticable, or if he enters the United States unlawfully, he shall again be taken into custody and, regardless of the charges upon which he was deportable, shall be thereafter subject to treatment in accordance with subsection (c). In any such case, the previous warrant of deportation against him shall be considered as reinstated from its original date of issuance. The Attorney General is hereby authorized and directed to arrange for appropriate places of detention in established institutions for those aliens required by this section to be taken into custody and detained. Nothing in this section shall be construed so as to prevent any alien detained under subsection (c) of this section, from questioning, on petition for writ of habeas corpus filed in the district court of the United States of the district wherein he is detained, the validity of such detention.

"(e) Before the Attorney General may order the release under supervision of any alien detained under subsection (c), he shall prepare and file with all the other papers relating to such case, a synopsis of the evidence upon which such order is to be made and the reasons for such order.

"(f) If any alien subject to supervision or detention under subsections (b) or (c) of this section is able to depart from the United States, except that he is financially unable to pay his passage, the expense of such passage to the country to which he is destined may be paid from the appropriation for the enforcement of this act, unless such payment is otherwise provided for under this act."

"Sec. 5. Nothing in the provisions of sections 5, 7, 8, and 10 of the Administrative Procedure Act (60 Stat. 239, 241, 242, 243; 5 U. S. C. 1004, 1007, 1009), or the Declaratory Judgment Act of 1934, as amended (48 Stat. 955; 28 U. S. C. 400), shall be applicable to the provisions of this act or to any law relating to the immigration, exclusion, expulsion, or registration of aliens or to the nationality or naturalization laws of the United States; nor shall the provisions of section 503 of the Nationality Act of 1940 (54 Stat. 1171-1172; 8 U. S. C. 903) be applicable in any case which involves a determination of the right of a person to be admitted to or to remain in the United States under the provisions of any of the immediately foregoing described laws."

Mr. MUNDT. Mr. Chairman, I make the point of order against the amendment that it is not germane to the pending bill, H. R. 5852. It seems to me the gentleman's amendment, which I believe is in actuality a bill which is before the House and before another committee, deals with the arrangements and techniques of deportation proceedings, which do not properly fall within the province of the House Committee on Un-American Activities, so in my opinion the amendment should not be attached with germaneness to legislation of this type. Regardless of the merits of Mr. HOBBS' proposal, I submit it should come before us as a separate measure and not be added as over-burden to H. R. 5852.

The CHAIRMAN. Does the gentleman from Alabama care to be heard on the point of order?

Mr. HOBBS. I certainly do, Mr. Chairman.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. HOBBS. Mr. Chairman, the amended title of this bill is "A bill to protect the United States against un-American and subversive activities." That is the declared purpose of the bill. In the subcommittee's report on the legislation we have been considering it is stated:

The subcommittee recommends the immediate consideration by the Judiciary Committee of the House of proposals which would require all aliens to register annually with the Department of Justice, allow the Department of Justice to hold deportable aliens in custody until arrangements for their deportation can be concluded, and provide for strict reciprocity in the granting of visas and in the treatment of aliens from Communist-dominated countries.

I submit, Mr. Chairman, in all earnestness and candor, that when you are dealing with a problem that goes to un-American and subversive activities you cannot find any activity that is more important to prevent the poisoning of the body politic of this Nation than the one to which my amendment addresses itself. It has already been considered by the Judiciary Committee of the House, it has already been granted a rule by the Rules Committee, and it has already passed this House. In substance it is identical with H. R. 5643 of the Seventy-sixth Congress, that did pass this House. It is no fault of ours that it is not the law of the land today.

Mr. Chairman, I want to address myself to you very seriously for a moment

on the point of order. When the bill H. R. 5643 was introduced by me in this House in the Seventy-sixth Congress, the immigration and naturalization authorities of this Nation said there were only 460 aliens at large in this country, and as free as you are, who had gone through all the processes of the courts and been finally adjudged unfit to remain here in freedom and the warrant of deportation, finally approved by the courts, had issued. They are here today, as free as you are. The Communist Party is largely responsible for nearly 5,000 of such cases today. Russia has not issued a single passport by virtue of which any one of our orders of deportation could be executed. We have by just so much been absolutely deprived of our right of deportation, which is one of our sovereign attributes if we are a free and independent nation. So I say that this is utterly un-American, it is utterly subversive of one of the pillars upon which our sovereignty rests, the right of deportation, a sovereign right universally recognized by international law as belonging to every free and independent nation.

Just because we cannot get the cooperation of another government, I say that the bill which has already passed the House and which has had the approval of the Committee on the Judiciary and which has claimed the very right that is now recommended for consideration by the subcommittee that wrote and now offers this bill ought to be germane to a bill to protect the United States against subversive and un-American activities. I believe, sir, that it is germane to this bill.

The adoption of my amendment would cure the evil that is thwarting our Nation in the effective exercise of its sovereign right of deportation.

The CHAIRMAN (Mr. WADSWORTH). The Chair is ready to rule.

The Chair would remind the gentleman from Alabama, of course, that his function is not to pass upon the merits of an amendment, nor to pass upon the merits of the bill which the gentleman says has already passed the House. The Chair may personally find himself in complete agreement with the objective sought by the legislation which the gentleman from Alabama espouses, but the legislation to which he refers, as the Chair understands, has to do with the immigration and naturalization laws of the United States. This bill pending before the Committee of the Whole does not approach that subject. Its title is "Subversive Activities Control Bill, 1948." It comes from the Committee on Un-American Activities. That committee has no jurisdiction over legislation having to do with immigration and naturalization laws. Therefore, the Chair holds that the amendment is not germane.

Mr. HOBBS. Mr. Chairman, may I call the attention of the Chair to the fact that it deals with the question of the issuance of passports and prohibits such issuance.

The CHAIRMAN. The proposal of the gentleman goes far beyond that. The point of order is sustained.

Mr. CROW. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. CROW. Mr. Chairman, I have listened with interest to the debate on the Mundt bill, H. R. 5852, and it is rather difficult for me to understand the position of the opponents of this bill in declaring it to be unconstitutional.

We of this House should be interested in preserving our Constitution and not in preserving the rights of people who owe their allegiance to Russia or any other foreign country and whose sole purpose is the overthrow of the Constitution, under which they are attempting to hide for protection.

It is my position that our Constitution is for the protection of our good American citizens who believe in the American way of life and who are only interested in oneism, Americanism.

Let us look at some of the organizations who complain about the Mundt bill. First we have the CIO groups who have refused to sign the Communist affidavit as required by the Labor Relations Act of 1947; second we have the Communist organizations and Communist-front organizations who would be required to register and name all of their officers and members. I have received many telegrams requesting that I oppose the bill for the protection of our country, and I have answered every telegram with the same answer, "I am going to vote for the bill for the protection of our country."

Mr. Chairman, some people consider the Communist Party as a political party in the United States. Let us look at some of the statements made by Louis Budenz, former managing editor of the Daily Worker, when he appeared at hearings on communism held by the State Legislature of the State of Washington. He identified his Red pals as stooges for Stalin and identified Jack Stachel as one of the three top Communists in the United States with direct access to Joe Stalin at any time. He gave the inside picture of the structure, personalities, operating procedures, and machinations of the American section of the Comintern. Does this give the impression that the Communist Party is a political party in the United States?

Mrs. Kathryn Fogg, another witness at the above-described hearing, stated as follows:

I broke with the Communists because they do not believe in democracy, they do not practice democracy and they never intend to practice it. You take orders; you do not use your own judgment. The orders came from the Kremlin, Moscow, but I did not realize that until I had spent considerable time in the party, believing it to be a liberal organization in the sense we understand that term in the United States.

Manning Johnson, former high ranking colored Communist, a Navy veteran of the last war advised all lower strata Communists to "get out of the party while the getting is good." He had joined the Communist Party in 1930 and re-

ceived special training in the notorious Lenin School in Moscow in all forms of sabotage, physical as well as psychological. He quit in 1940 when he became convinced that the Communists were using his race for ulterior sinister purposes of their own that had no connection whatever with Negro problems. He was positive that:

The Communist Party is not a political party in any sense of the word. It is a fifth column to carry out Soviet Russian policies and to prepare the United States for an easy pushover in case of war or class revolution. You cannot be a Communist in good standing and continue to be loyal to the United States. A Communist's main job is always to weaken the United States against the day when the Soviet totalitarian dictatorship takes over.

Mrs. Isabel Costigan, wife of a widely known Seattle political figure, unburdened herself of years of heartache resulting from her brief, but nasty experience with Communists. She stated as follows:

There is no morality in the Communist Party. It will stoop to anything. I was sick from the time I got in. We were told that the little people formulated the program. I found that they were simply told what to do. No one talks more democracy and practices more dictatorship than the Communist Party.

Our Federal Constitution affords a reasonable freedom of speech and of the press. This freedom does not comprehend the license to slander, to libel, or to disseminate propaganda to subvert our form of Government. Constitutional liberty must not be construed as license. Recently the United States Court of Appeals, in the case of Leon Josephson, a reputed Communist, held that when free speech imperils national security, constitutional protection cannot be claimed by the offender.

Mr. Chairman, in view of the statements of the above-named Communists I hope that all Members of this House who are interested in the protection of our Constitution and the American way of life will support and vote for H. R. 5852. I do not consider the controlling of organizations who are Russian dominated a violation of our Constitution. If we are going to fall for that line of argument it will not be long until we will be without a Constitution for our protection. I am sure that the people of the satellite countries of Europe do not find many rights and privileges under the constitution forced upon them by their Communist leaders and under whose yoke they are now living.

Mr. Chairman, I want it plainly understood that I am opposed to any form of communism and I will support all measures that will tend to lessen the danger of our Constitution being rewritten by direction of Joe Stalin.

Mr. NIXON. Mr. Chairman, I offer a committee amendment, which is at the Clerk's desk.

The Clerk read as follows:

Committee amendment offered by Mr. NIXON: On page 41, after line 8, insert the following section:

"Applicability of Administrative Procedure Act.

"Sec. 16. Nothing in this act shall be held to make the provisions of the Administrative Procedure Act inapplicable to the exercise of functions, or the conduct of proceedings, under this act, except to the extent that this act affords additional procedural safeguards for organizations and individuals."

And renumber the following section accordingly.

Mr. NIXON. Mr. Chairman, it will be seen that this is merely a perfecting amendment and has the full approval of the committee.

The amendment was agreed to.

OUTLAWING THE COMMUNIST PARTY

Mr. MacKINNON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. MacKINNON. Mr. Chairman, the question has been raised as to whether this bill outlaws the Communist Party. I submit that if any person will read this bill he will come to no other conclusion than that the Communist Party, as it is presently existing and operating, is outlawed by this legislation. Anything is outlawed when it is made illegal. Jesse James was an outlaw not because he was mentioned by name in a legislative act, but because he did something that was illegal. The present activities of the Communist Party would here be made illegal and hence outlawed. They would be made illegal by section 4 of this act, which states:

It shall be unlawful for any person to attempt in any manner to establish in the United States a totalitarian dictatorship the direction and control of which is to be vested in, or exercised by or under the domination or control of, any foreign government, foreign organization, or foreign individual.

From, first, the constitution of the Communist Party and from, second, their activities it can be proven that they are attempting to establish a totalitarian dictatorship under foreign control in the United States. The portions of their constitution which prove they are attempting to establish a totalitarian dictatorship is that section which states that their ends, and I quote, "will be achieved only by the socialistic organization of society under a government led by" the members of a single class of society. Personal or political relations with persons who may have divergent interests or views to those of this particular class make one incompatible for membership in the Communist Party. Such individuals may be classified as enemies of the leading class and thereby denied access to membership in the party that is to lead the Nation. This denial of equal opportunity to membership in a political party merely on the grounds that one may have divergent interests to those of a single class of society is the essence of totalitarianism.

FOREIGN CONTROL

The foreign control of the Communist Party is proved, to state the proof briefly, by one, the policy flip-flops of their official party publication to coincide with foreign views; two, compliance of

the Communist Party of the United States with directives of Russian officials of the Communist Party. The compliance in some of these instances is still continuing even though the order was issued long ago; three, the "commuting" of members of the Communist Party in the United States to Russia for the purpose of receiving instructions and orders.

All of these matters are documented and substantiated at length in numerous congressional hearings on this subject. Because of these facts the Communist Party as it exists and presently operates in the United States would be illegal under the legislation in question. It would thus be outlawed.

BILL IS CONSTITUTIONAL

This bill is constitutional as the Communist Party would be outlawed in a perfectly legal way and for valid reasons. There is nothing illegal about outlawing something that is evil. Bank robbers, assassins, murderers, and many other members of our society are outlawed, not by name but because statutes make their activities illegal. Some confused thinking has come about on this particular subject in that some people seem to feel that you have to name something by name to outlaw it, but nothing is further from the truth. Many activities are outlawed and many organizations are considered outlawed organizations because their activities are illegal under some law that does not name them by name. As a matter of fact it is the exception rather than the rule when organizations are outlawed by name. But I submit that this is a perfectly constitutional exercise of power in the hands of Congress.

I do not wish to burden any person with an elaborate legal discussion, but suffice to say that the Constitution recognizes the inherent right of the Government to protect itself. In addition to this article IV section 4 of the Constitution places the duty and responsibility upon the Congress and the other branches of the Government to guarantee that a republican form of government shall not be denied any person in the United States. No discussion is necessary to prove that the denial of representation to members of a single class as is proposed by the constitution of the Communist Party would not satisfy the requirement of a—republican—representative form of government as guaranteed by the Constitution.

The thought has been suggested that maybe you can do away with these rights by a constitutional amendment, but I submit that cannot be done. We are concerned with essential liberty—the basic right of an individual to a voice in the government that is going to govern him and his family. I am sure that clear thinking on this subject will convince any member that this is one of the inalienable rights not only protected by the Constitution, but the Constitution and our form of Government recognizes that such right is inherent and cannot be infringed upon even by the Constitution.

This legislation is clearly constitutional in my opinion and I submit that is what Communists are most afraid of.

If the proposed legislation was not constitutional they would have nothing to fear.

To say that this legislation is constitutional means it is constitutional to outlaw any attempt to establish a totalitarian dictatorship in the United States under foreign control. The claim that this legislation was unconstitutional would mean it was illegal to oppose by peaceful means what we would resist by force of arms. No such construction is reasonable.

THE REPORT ON THE BILL

Probably a word is in order at this point on the references in the report which some Members have quoted seemingly to the effect that the bill did not support the "outlawing approach." Even a casual observation of this report will note that such comments relate only to the rejected proposals of outlawing the Communist Party by, first, barring it from the ballot; and, second, making the Communist Party illegal per se. In fact the very section of the report in which these outlawing approaches, and the language in question is contained, is entitled "Rejected Proposals." Clearly these comments on the "outlawing approach" relate only to the rejected proposals and such comment cannot be taken as applying to the bill which outlaws the subversive activities of all individuals and organizations, including those of the Communist Party, through general description. A perfectly customary and legal approach.

NEW YORK PRECEDENT

It would also be noted in connection with the registration provisions of this act, that the State of New York since 1923 has had a law aimed at certain subversive organizations that bind their members by oaths, disciplined them and sought to attain political power. This law is known as the Walker law. It was enacted in 1923. It was aimed at the Ku Klux Klan. It required them to file their membership lists. The full provisions can be examined by referring to sections 53-57 of the New York civil rights law. In addition to the other ordinary requirements of registration, it made each such organization publicly file copies of every resolution, and I quote, "providing for concerted action of its members or a part thereof to promote or defeat legislation, Federal, State, or municipal, or to support or defeat any candidate for political office." Section 55 prohibited such organizations from mailing, sending, or delivering certain documents through the mail without full disclosure as to the source. Section 56 provides penalties. Under section 57, which was adopted in 1947, the attorney general is empowered to bring prosecutions. This had previously been limited to the local prosecutors.

UNITED STATES SUPREME COURT DECISION

This statute went to the United States Supreme Court in the year 1928, and in the case of *Bryant v. Zimmerman* (278 U. S. 63), the Supreme Court held the law to be a constitutional exercise of legislative power. At that time the Court included William Howard Taft, Oliver Wendell Holmes, Louis D. Brandeis and

Harlan Fiske Stone. The decision was 8 to 1 for the constitutionality of the legislation and the only dissent was by Justice McReynolds who did not think the case properly before the Court on technical grounds.

The New York law there held constitutional, in some respects, is broader than this legislation. Nothing here requires the filing of resolutions relating to political activities, but the substance of this decision held that it was proper for the legislative body to classify with respect to the evil to be prevented, to define those from whom the evil mainly is to be feared and to direct its law against those without covering the whole field of possible abuses. But on this point it is most remarkable that there has been practically no discussion on the floor by the opponents of this bill to the effect that any other organization that should be included that is not included. Their principal argument has been, not that other groups should be included, but that one single group, to wit, the Communist Party and their fronts should not or could not be reached by legislation.

Mr. SMITH of Kansas. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. SMITH of Kansas. Mr. Chairman, back home, among the people who live on the land first settled just a lifetime ago, a land of rolling hills and fertile valleys, where excess rainfall is carried away by the Smoky Hill, the Saline, Solomon, and Republican Rivers, where less than 90 years ago moccasin feet were the only travelers; this is still a land free from early morning factory whistle. Punching time clocks is almost unknown. The head of the family eats his meals at home. This is rural America free from exacting tribulations of an industrial way of life.

But, living as we do on a land given to us by our pioneer fathers and mothers, we must stop, pause, and listen to a new way of life that is trying to be forced on us by a scheming, deadly band of a foreign-inspired group, who hope to change our very way of life. I refer to Russian-dominated Communists.

We in Kansas do not pay too much attention to the big, white, fleecy clouds that float lazily overhead in the summertime. But when sometimes in the late afternoon a big, black bank of clouds appears in the northwest, we who live in northwest Kansas know what it means. There is a storm coming up. As night approaches we see to it that barn doors are fastened and the hen house doors are shut. We take these precautions because of our past experience. As night comes on we see the lightning flash and hear the thunder roll. Then the wind dies down. There is an ominous calm just before the first big raindrops come splattering on the roof. Then comes the wind and rain and sometimes hail.

Why do I say all this? Because America might well be in that period of a quiet calm just before the storm of communism breaks.

Is there anyone who does not know about the big, black cloud that settled over Czechoslovakia, Hungary, Yugoslavia, and Rumania? There people waited too long to shut the barn and hen house doors.

Everyone knows, or should know, that communism originated in Russia. It is not a mere political idea. It is a complete way of life. Put in simple terms a Russian cannot, first, own land; second, may not have a jury trial; third, cannot quit work; fourth, cannot choose his own job; fifth, may not employ labor; sixth, may not strike; seventh, may not travel without permission; eighth, may not own jewelry; ninth, cannot ring a church bell; tenth, cannot talk to a foreigner without permission; and is forbidden free speech, freedom of assembly, freedom of religion, and freedom of his soul.

Thus, we see communism is not a political matter—but a way of life. Because in Russia the Communists through leaders own all the people, body and soul.

It is only too true, that many people here in America still think and say Russia cannot attack us and conquer this country because she cannot land on our shores or come over the Arctic Pole.

Those who think like that are still thinking in terms of past history. They cannot enjoy the luxury of thinking of the past to prove their point because communism has a new technique. Communists have something new in the way to conquer a country. Throughout history conquerors have sent their armies smashing through the countryside—spreading out horizontally, putting their soldiers throughout the country. That is the way nations were conquered by Alexander the Great, Genghis Khan, Caesar, Napoleon and the Germans in the late World War used this method. But the Russian or Communist uses a much more effective modern approach. His forces spring up vertically like a toadstool. They use the citizens of the country by this toadstool method to seize control. These toadstoos grow up among the police, transportation systems, the communications systems, and other vital industries. On a given signal they take over. The country is helpless.

Just imagine if all these services in this country were in control of the Communists, how difficult would be our problem. You say that cannot happen in this country? That is what the people of Bulgaria, Hungary, Rumania, and Czechoslovakia thought also—but it was too late. They did not pay any attention to the big black cloud and did not get the barn and hen-house doors shut in time.

Communism grows like the dry rot in a tree. The tree appears to be a big fine tree. You admire its shape, size and enjoy its nice cool shade. Then, one day, a severe windstorm suddenly comes up and your tree is blown down. You discover that the inside wood, covered over by the bark, is rotten and does not have the strength to stand a hard wind. Communism can do the same to us. Do not believe the Communists are out in the open—they are covered up by the pinkish bark of fringe organizations. They go about the country boo-hoo-ing a lot of

weak sentimental socialistic ideas, preying upon the sentiments of those that have not. They cry to high heaven things are not right. They shout and cry for liberty. They call themselves liberals, but if you look carefully into the background of these so-called liberals you will find they generally are those that want to take away some of your property and give it to someone else. Much of the propaganda that is flooding America, in the churches, schools, labor unions, and the so-called "do good" front organizations, all use this liberal doctrine. And always they conclude their statements about the blessings of a controlled economy.

Our wars have been fought to destroy an all-powerful state and now these so-called liberals would now turn to an all-powerful state to save us. What a fantastic idea. They want to change our free social order for one of controlled economy. Of course in the final analysis this doctrine is disguised. But, it is just plain socialism. And also remember that a Communist is nothing more nor less than a Socialist trying to get to his objective in a hurry.

Remember always our constitutional guarantees are no stronger than the people who protect them.

Recently I received a letter. The writer went at great length to discuss the attitude of the Russians toward America. He pointed out if Our Lord had had to deal with Communists in Jerusalem He would have held up His hand and blessed them. May I be so bold as to say what I think He would have done if He had been confronted by Communists? He would have driven them out of the temple as He did the money changers.

There is another thing we have got to redefine and that is what we mean by social justice. At present these programs mean social hate programs instead of social justice.

We in this country have been taught to believe that dangers to this country would always come from abroad. That we had to fear external enemies. We must all realize that the basic idea of communism is to rule or general ruin. They preach to be ready always, to seize power by force. Communists seek to enter the labor unions, the slum areas, and groups of young people immature in their thinking.

Everyone knows that the Communist cause is dominated and controlled by Russian dictatorship. That the sole purpose of the organization in the United States is to not only destroy our form of government but our way of life.

The President of the United States in March 1948 asked Congress to appropriate billions of dollars to build up our defenses against world-wide communism. It would be most foolish to spend billions of dollars abroad and not try to do anything in the United States against communism.

The Communist Party of the U. S. A. since its inception has constantly advocated and now teaches the overthrow by force and violence the Government of the United States.

Must our Constitution protect those that would destroy it?

Must the Communist Party in the United States continue to enjoy the same rights, privileges, and immunities as any other political party even when we know it is dominated by a foreign power?

Are the people to be denied through their representatives in Congress the right to say that Communists can carry on their nation-destroying activities under the cloak of political immunity.

The objectives of the Communists be they in Russia or the United States are the same, Attorney General Biddle in 1942 made this finding.

There cannot be any further mystery about the Communists' foreign policy. Their sole aim is to establish a dictatorship throughout the earth. That is why you cannot appease Russia.

Those of us that support this bill believe we have found the way to help protect ourselves from the deadly doctrine of communism. This bill will help to remove the political immunity which the Communists now enjoy.

This communistic doctrine has spread over a large part of Europe, and is spreading over Asia.

One of the most common repeated statements of the Communists is, "Without the revolutionary overthrow of capitalism, no international arbitration, no talk of disarmament, no democratic reorganization of UN will be capable of saving mankind from new wars."

That statement should explain Russia and her policies. It plainly shows that Russia will not be a working partner in the United Nations.

In order to get a little better understanding of communism let us see what Mr. Foster, head of the Communist Party in the United States, has to say about it.

Under oath before a committee of Congress, as reported in the CONGRESSIONAL RECORD, he revealed the world-wide objectives of communism.

The testimony:

The CHAIRMAN. Mr. Foster, does your party advocate the destruction of religious belief?

Mr. FOSTER. Our party considers religion to be the opiate of the people, as Karl Marx has stated, and we carry on propaganda for the liquidation of these prejudices among the workers.

The CHAIRMAN. To be a member of the Communist Party do you have to be an atheist?

Mr. FOSTER. Many workers join the Communist Party who still have some religious beliefs, and when he joins the party he will soon get rid of them.

The CHAIRMAN. Well, can members of the Communist Party in Russia be married in the church and maintain religious belief?

Mr. FOSTER. My opinion is that a member of the party of the Soviet Union who would be married in the church wouldn't be of any value to the Communist Party.

The CHAIRMAN. And now for loyalty to our country. If I understand you, Mr. Foster, the workers of America look on the Soviet flag as their flag.

Mr. FOSTER. The workers of this country and the workers of every country have only one flag. That's the Red flag.

The CHAIRMAN. Mr. Foster, do you owe allegiance to the American flag? Does the Communist Party owe allegiance to the American flag?

Mr. FOSTER. I stated very clearly that the Red flag is the flag of the revolutionary class and we are part of the revolutionary class,

and all capitalist flags are the flags of the capitalist class and we owe no allegiance to them.

So this bill makes it unlawful, punishable by fine or imprisonment, to establish or look toward the establishment of a totalitarian dictatorship in the United States which is subservient to foreign control.

It provides for loss of citizenship to anyone so convicted.

It denies Federal employment and passports to members of Communist political organizations.

It requires registration with the Attorney General of Communist political organizations and Communist-front organizations.

It denies the use of the mails to any organization unless such organization is registered with the Attorney General, and all organizational publications must be marked that it is a Communist organization.

This bill also denies the privilege of broadcasting any matter over the radio unless it is preceded by a statement giving the name of the organization and the fact it is a Communist organization.

I fully believe that the passage of this bill into law will aid materially in helping to stamp out communism in this country. To every American who has served his country; to everyone who watched their son or loved one leave for the training camp, this bill helps to protect us from another war. What a tragedy it would be to win two world-shaking wars and then to succumb to an enemy within our country.

George Washington said to his officers as he was preparing to cross the Delaware, "Put only Americans on guard tonight." And, so I believe that the people in my part of America, who were born as Americans, who live as Americans, and who want to die as Americans, and who love their land and can call it their own—believe we have a right to protect ourselves from those who would destroy us from within.

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. PHILBIN. Mr. Chairman, you can no more check or destroy the menace of communism by this legislation than you can sweep back the tide with a broomstick. Communism is an idea, and as has been well said here, an idea cannot be killed by fiat. Prison walls cannot kill an idea. An idea can be checked and destroyed only by combating it with an idea which is better, more constructive, more responsive to the public conscience, and the public welfare.

The concept of outlawing a political philosophy is not only without precedent in the history of this Government but it is antagonistic to long-established principles of representative democratic government as exemplified by the Constitution. I am as much opposed to communism as any man in this body. I have

spoken, fought, and voted against communistic doctrines, communistic practices, and communistic activities in this Government ever since I became a Member of this House, and Communists have bitterly assailed and fought against me.

But I cannot subscribe in conscience to this violation of the letter and spirit of constitutional democracy. American citizens have the right to embrace any political philosophy they desire, the right to express their opinions and views and to advocate their enactment into law. They have the right to form and join political parties for any legitimate purpose. If in this process they engage in international conspiracies endangering the national security, if they advocate overthrow of the Government by force, we have laws on the statute books to visit them with appropriate punishment. If persons violate the law in their political activities, let them be punished in the ways and means provided by existing laws against treason, sedition, obstruction of justice, and many other statutes, State and Federal, which enable this Government to protect itself against organized violence, espionage, treason, sedition, and the like.

For the first time in history this bill seeks by law to outlaw political thought and to proscribe political activity and to check the freedom—the cherished freedom—of the individual American citizen to think, believe, and advocate his thought and belief without restriction by the oppressive hand of government. Thus we would adopt and follow the example of totalitarianism of excluding by arbitrary edicts every form of opinion save that agreeable to the dictatorship in control. Thus we duplicate the mockery of Nazi elections with their gross "Yahs" and their puny "Neins," enforced by the mailed fist, the mockery of Sovietism with its brutal suppression of every view save the view of its ruthless dictator. We denounce and condemn Russia for outlawing all political parties save the Soviet and then we follow the same practice in this country. Thus we ourselves embrace the shape and features of totalitarianism; we abandon our basic character as a free democracy governed by the sovereign will of its people and take on the form of a repressive dictatorship.

I cannot discuss the bill in detail. It is a melange of unconstitutional concepts. It is a tissue of repression and violation of fundamental constitutional rights so dear to every American. It seethes with totalitarian evils it presumes to banish. It ousts our courts of jurisdiction and accords their jurisdiction to the executive department. It lays down a dangerous and most alarming precedent. It prohibits many actions and activities already prohibited by existing law. It is a mark, unfortunately, of totalitarian trends in America, of which we have had so many manifestations in recent times.

Totalitarian governments are built upon definite patterns. Militarization and military dictatorship, ruthless abrogation of civil rights and civil liberties, including free speech, worship, thought, and action, and regimentation of the industrial, economic, and social features of the state and the economy are primary

accompaniments of totalitarian government. All these features are, unhappily, easily discernible in current American government.

Let me remind you, my colleagues, that absolutism in any form is contrary to free American institutions. Fascism and the corporate state are no more welcome to true believers in democracy and Americanism than Marxist communism and the proletarian dictatorship. We must zealously preserve all our liberties or we will be in grave danger of losing them all. If we check the rights and liberties of one group of our body politic, mistake it not, we will soon be confronted by demands to check the rights and liberties of others. We curb political thought of radicals today and we may check the free economic action of conservatives tomorrow. We destroy the right of expression and advocacy today, and tomorrow we may destroy the right to own property and conduct a free-enterprise business. Certainly, by this bill the precedent shall have been laid for further encroachments by the Government upon the domain of individual freedom of action, initiative, and enterprise. If you regiment and throttle one class of the American society, the time will come, mark my words, and it will not be far away, when you will have to regiment others. At that time, democracy will perish and totalitarian government will be entrenched in this Nation.

There is no question here of perpetuating and protecting our Government against destruction or overthrow by Communists. Communism is organized on a world-wide basis and is strongly supported even in our own country. The seeds of communism have been sown deep in American soil. Communistic ideas have taken hold of many in the rank and file of the people who may or may not know or understand that these ideas are communistic. That is understandable in the light of the subtle propaganda, the aggressive techniques, the growing political strength, the definite political recognition, the infiltration into the Government which have characterized recent years. Ruthless suppression, repression, police-state registrations, espionage, Nazi or Cossack terrorism will not reverse this trend, will not cure these conditions. This trend can be reversed, these conditions can be corrected effectively and permanently only by constitutional measures, only by weeding Communists out of the Government service, only by exposing the propaganda methods, techniques, and nefarious activities of Communist groups, only by ferreting out and punishing criminal subversive violators of the law, only by enforcing the law impartially and fearlessly against those who are carrying on illegal conspiracies against the Government.

Communism cannot be combated by fiat. It must be combated by American methods, by argument, discussion, debate, and the alleviation of the social, economic, and Government ills and maladjustments which are feeding the fires of dissension and radicalism in the Nation. Expose the Communists to the light of day, to the force of American public opinion. Expose their activities in

the educational, recreational, industrial, civic, and social life of the country. Uncover their web of conspiracy and punish their overt acts against public order and welfare. Preserve and protect and guard the Constitution. It is the charter of our most precious liberties. Keep it American, keep it democratic, keep it as a sure and vital safeguard against oppression of minorities, oppression of the individual, oppression against free thought, free conscience, free personal action compatible with public welfare, free economic and political activity consonant with our form of government and our economic organization.

Let no hysteria shake us from the moorings of the Constitution. Communism cannot flourish in the atmosphere of American freedom. So long as that freedom means what it was intended to mean—a chance for every American to live without fear or terror; to live under a rule of law and equal rights and opportunity, to live in a land where every worthy citizen can work out his own destiny and earn a decent livelihood, there is little likelihood that communism will triumph over democracy.

I realize that many able, sincere, loyal Members differ with my views in this matter, but I must follow the promptings of my own conscience as to what I believe to be in the best interests of the Nation. I will, therefore, vote against this bill.

Mr. FERNANDEZ. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I asked for this time only because I would like to have an answer to the question which I have been asking all afternoon. On page 29 of this bill it is provided that the Communist political organization shall file the name and address of the members of the organization. When a man is filed as a member of this organization he loses very valuable rights; the right to employment by his Government; the right to obtain visas from his Government; and other rights.

Now, suppose that an organization by mistake or for an ulterior motive, files as a member of this organization the name of the gentleman from South Dakota [Mr. MUNDT], or some other person who is not a member of the organization, how is he going to extricate himself from that situation? I want to know how a man who is filed as a member of the organization and claims he is not a member may proceed to clear his name and get back his right.

Mr. MUNDT. Mr. Chairman, will the gentleman yield?

Mr. FERNANDEZ. Yes. That is why I asked the question.

Mr. MUNDT. If I follow the gentleman's inquiry, and I think I do, he is concerned about a situation whereby some fellow who is not a Communist may be listed by the Communist organization as a Communist, and consequently, although he is innocent, have penalties attached to him.

Mr. FERNANDEZ. That is correct.

Mr. MUNDT. The committee provided for that in language on page 30, starting with line 8, subsection (g), which must be read in conjunction with language appearing on page 49. I will read both,

and I think the gentleman will understand what we have in mind.

Mr. FERNANDEZ. Where is the language on page 40?

Mr. MUNDT. I will read both of them. Page 30, section (g):

(g) It shall be the duty of the Attorney General to send to each individual listed in any registration statement or annual report, filed under this section, as a member of the organization in respect of which such registration statement or annual report was filed, a notification in writing that such individual is so listed; and such notification shall be sent at the earliest practicable time after the filing of such registration statement or annual report.

Now, on page 40, subsection (b), we provide:

(b) Whoever, in a registration statement or annual report filed under section 8 of this act, willfully makes any false statement or willfully omits to state any fact which is required to be stated, or which is necessary to make the statements made or information given not misleading, shall, upon conviction thereof, be punished by a fine of not less than \$2,000 and not more than \$5,000, or by imprisonment for not less than 2 years and not more than 5 years, or by both such fine and imprisonment.

So it follows if by chance any Communist organization were to list ANTONIO FERNANDEZ or KARL MUNDT as a Communist, we would then have recourse to the courts to point out that under the law they are subject to a penalty of 5 years' imprisonment and a \$5,000 fine for having listed us willfully erroneously. May I say that the penalties of this act do not apply to the individual because he is listed on the registration list, but the penalties apply because he is found, in fact, to be a Communist.

Mr. FERNANDEZ. But you have not given a definition in this bill of what constitutes a member. How are you going to convict that organization which says that in their opinion a person is a member of the organization? And how does he proceed, or does he have to wait for a prosecution to extricate himself?

Mr. MUNDT. As to whether he is a member will be determined by the rules and regulations which are provided in this legislation and put down by the Attorney General in processing registration, plus the charter of the organization, plus the constitution, but, above all, by the regulations that the Attorney General applies in the process of registration. We specifically set up on page 40 against falsification of any of these registrations. We do not say that a man cannot get a Government job because he is registered as a Communist. It is because he is a Communist in fact that he cannot get a job. It is by virtue of the fact that he belongs to the Communist organization that he is denied certain privileges under my bill.

Mr. FERNANDEZ. I thank the gentleman from South Dakota. I may say to the gentleman that if this provision does apply and there is a penalty for listing a person who is not a member, that answers part of my question.

Mr. MUNDT. I may say to the gentleman from New Mexico that that was put in the bill specifically for that purpose, and the report helps to make that clear.

Mr. FERNANDEZ. I hope so, though I do not think the penalty alone is sufficient even if applicable.

Mr. FELLOWS. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I might be excused if I were in a state of disorganized mental confusion, but if this question can be answered perhaps my mind will be clear. May I ask the gentleman from New York this question: Is it not true that this law would not apply to any organization in this country, no matter by what name it might be called, if it is not connected in any way with any political power in a foreign country?

Mr. MARCANTONIO. That question can be answered only as follows—

Mr. FELLOWS. Cannot the gentleman answer it "Yes" or "No"?

Mr. MARCANTONIO. A "yes" or "no" answer cannot be given for this reason: While it is seemingly true that a Communist political organization must be found to be one that is under the control of such foreign government or foreign governmental or political organization, but you have got to bear in mind that the finding must be made by the Attorney General based on what? Based on these definitions in section 3. You can apply any one of these definitions to numerous organizations of any character, and the Attorney General can take any one of them and if he finds that it is reasonable to conclude that as a result of one or more of these characteristics set forth in section 3 are applicable to the organization, that as a result of that he finds it is reasonable to conclude that such an organization is under the control of such foreign government, then he can find that that organization is a Communist political organization. Does that answer the gentleman?

Mr. FELLOWS. Yes, I suppose in a way; but assuming that it is true that there must be some political power in a foreign country which dominates or controls an organization in this country, then all this organization in this country would have to do in order to free itself from the operation of this proposed statute would be to cut the strings between it and the foreign political power.

Mr. MARCANTONIO. That would also be likewise true. If the Attorney General did find that an organization according to the language of the bill is under the control of such foreign government and the organization severs its ties it removes itself. I do not see how the bill could be applicable to it.

Mr. FELLOWS. I thank the gentleman.

Mr. MARCANTONIO. But always remembering that it is the Attorney General's determination of this matter. The real question should be how can an organization which has been found by the Attorney General under the loose language of the bill to be a proscribed organization, and which in reality has no foreign ties, extricate itself?

Mr. FELLOWS. That is a matter of procedure and I can see where there might be some disagreement as to the proper procedure; but my proposition is that the relationship must exist, and if

some organization here does not wish to come within the statute it just severs the relationship. I think that is fair enough.

Mr. KERSTEN of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. FELLOWS. I yield.

Mr. KERSTEN of Wisconsin. In answer to the gentleman from New York as to the phrase "it is reasonable," he has interpreted that as he has throughout this debate to mean that the Attorney General is the one to find it is reasonable. That is not the proposition. It must be reasonable, and if it is not a reasonable finding then it does not apply.

Mr. FELLOWS. I thank the gentleman.

The Clerk read as follows:

SEPARABILITY OF PROVISIONS

SEC. 16. If any provision of this act, or the application thereof to any person or circumstance, is held invalid, the remaining provisions of this act, or the application of such provision to other persons or circumstances, shall not be affected thereby.

Mr. EBERHARTER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the remarks made by my good personal friend and colleague from Pennsylvania [Mr. McDOWELL] in respect to the many telegrams, letters, and representations made to the Members of Congress with respect to this bill might leave an inference in the minds of some people that those who are opposed to this measure are opposed to it because of the things that these organizations or individuals may have said or because they brought pressure on us or because we were deceived by them.

Mr. Chairman, having been on the floor during all of the debate on this bill with the exception of an hour or so, it is my observation that in the consideration of this measure, which is of much importance to this country, and is of such a nature as to naturally arouse some hysteria, the debate has been maintained on a very high plane, unusually high. I do not think those in opposition or those in favor of the bill displayed any particular partisanship. The debate was entirely on matters of principle, and on the question of whether the provisions of this bill were constitutional or would deny the people the real freedoms which they gained through the Constitution and the Bill of Rights.

The bill has been carefully analyzed, it has been amended, and in many respects it has been improved. Many Members on both sides of the aisle have asked very important questions, as a result of which the record contains clarifications. We have proven to the people of this country that the Congress can really take a subject which naturally would stir up some hysteria, but which in this instance developed nothing but what I believe to be intelligent debate, and then consider it conscientiously and on its merits. So that I hope no inference will go out to the country that this decision which is being made today on the final passage of the bill and on any amendments that were adopted were on anything except the basis of principle, on the basis of a high resolve on the part of the membership to do what they think in their own best

judgment and conscience will be for the best interest of this country today and in the future.

Mr. NIXON. Mr. Chairman, I move to strike out the last two words.

May I say first of all that the Committee on Un-American Activities in bringing this legislation to the floor of the House was completely aware of the great responsibility that it had. All of the Members of the House will realize that there was considerable pressure upon the committee to bring to the floor of the House an unreasonable measure, a measure which would go so far as to without doubt infringe upon the rights of others than those against whom it should be directed, and that such a measure could have passed this House without any question due to the fact this happens to be an election year and that communism happens to be an issue.

We were aware of that and, in fact, some people urged that the committee approach the problem in that manner. But I want to assure the Members of this House that the Subcommittee on Legislation and the full committee in the consideration of this legislation has devoted a great number of hours and a great many days, working toward a fair, equitable, and effective solution to this problem. I think that in the consideration of this measure the Members of the House will agree that the committee has attempted to give every consideration to amendments we felt were necessary and which Members of the House felt were necessary to clear up any possible inconsistencies, or to avoid infringing upon the rights of others than those against whom the legislation should be directed.

I believe, after studying the bill as amended, that no Member of this House, who honestly wants to do something about the Communist menace in the United States, can with good conscience vote against this bill.

I am fairly convinced, and I believe the great majority of the House are convinced, that this bill, if it is enacted, will be effective in meeting the evil against which it is directed. The frantic opposition to it from those who would be affected by it and against whom it is directed is the best indication that it will be effective.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. NIXON. I yield to the gentleman from Indiana.

Mr. HALLECK. I cannot refrain from taking this opportunity to commend the gentleman from California [Mr. NIXON] and his coauthor of this measure, the gentleman from South Dakota [Mr. MUNDT] and all the members of the committee who have labored so diligently in trying to meet this very grave problem that confronts us. You have done a splendid job. You have been open-minded in the consideration of the measure. The amendments that have been suggested have been carefully considered. Many of them have been adopted with the consent of the committee. I think it is a good job well done. I thank the gentleman for his work and those who labored with him for their work. I am quite sure that the overwhelming vote

that this measure will receive will be clear evidence of the approbation of the Members of this body.

Mr. NIXON. I thank the gentleman. Mr. FOGARTY. Mr. Chairman, will the gentleman yield?

Mr. NIXON. I yield to the gentleman from Rhode Island.

Mr. FOGARTY. Does the gentleman honestly think that further legislative action will take place on this bill after it passes the House today?

Mr. NIXON. I will say that the overwhelming majority of the people of the country today sincerely and strongly believe that some legislation must be adopted to control the subversive activities of Communists in the United States. The Members of the other body, as well as the Members of this House, are elected by and represent the people of the United States, and as representatives of the people I am confident they will respond to the will of the people by acting upon this measure. The House by passing this bill by an overwhelming vote will in effect declare to the other body that this legislation is necessary, that it will be effective, and that it has the solid support of the people of the United States.

I should like to pay particular tribute at this time, Mr. Chairman, to the members of the Subcommittee on Legislation, of which I had the honor of being chairman. The gentleman from Illinois [Mr. VAIL] has worked tirelessly during the hearings and during the period when the bill was being drafted in final form. It was he who was particularly responsible for the inclusion in the bill of section 4 which, in my opinion, will prove to be one of the strongest and most effective provisions in the bill. The gentleman from Pennsylvania [Mr. McDOWELL] became a member of the subcommittee at a time when two of its members were absent due to illness and has worked diligently in behalf of this legislation. On the minority side the gentleman from Florida [Mr. PETERSON] has given to the subcommittee the benefit of his wide experience in the law and has contributed greatly to perfecting the language of the bill in its final form. The gentleman from Louisiana [Mr. HÉBERT] brought to the subcommittee a broad understanding of the policy issues involved in the legislation and his advice was particularly helpful.

I should also like to mention the work of several other Members of the House with whom I personally have consulted during the drafting of the legislation.

The gentleman from Wisconsin [Mr. KERSTEN], the gentleman from Pennsylvania [Mr. CHADWICK], the gentleman from Minnesota [Mr. MacKINNON], the gentleman from New York [Mr. KEATING], and the gentleman from New Jersey [Mr. CASE] have spent many hours with me in going over the provisions of the bill and in working out its details, having in mind particularly the constitutional legal questions involved. The unselfish assistance which they rendered in the drafting of a bill, which was not before a committee of which they were a member is, in my opinion, an indication of their devotion to duty and of their intense desire to find a fair, equi-

table, and effective solution to one of the most difficult legislative problems ever considered by this House.

Finally, I wish to express to all the Members of the House my appreciation for their cooperation and indulgence during the consideration of this measure. As a new Member handling a measure on the floor for the first time, I was most gratified to find the Members of the House so considerate and thoughtful.

Mr. MARCANTONIO. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, in the closing moments of this debate I would like to point out the fundamental issue which has been overlooked this afternoon, and I want to direct my remarks to the Members of this House who would not vote for a bill outlawing the Communist Party. It is, indeed, significant that the committee itself in its report has specifically stated that the purpose of this bill is not to outlaw the Communist Party, and it has also stated that it could not do so even if it wanted to. So on the proposition of outlawing the Communist Party, whether this bill does outlaw it or does not outlaw it is where the division must take place. I contend that this bill does outlaw the Communist Party, and I base my contention on the following proposition:

First of all, let us look at the background of this legislation. We have in existence two well-known laws, the Voorhis Act, which provides for the registration of foreign agents, and the McCormack Act, which makes it a criminal offense for anyone to willfully advocate the overthrow of the Government by force and violence. Not only the present Attorney General but his predecessor had this legislation on the books. Of course, for political reasons persons may want to charge dereliction against them, but I think we can dismiss that. No one here can in good conscience charge that the Attorney General would not avail himself of those two statutes if he had evidence that the Communist Party or its members were foreign agents under the Voorhis Act, or if he had evidence that the members of the Communist Party or its leadership advocated the overthrow of the Government by force and violence. The reason why there has been no prosecution under those statutes is specifically because there is no such evidence. Further, the Attorney General has been confronted with decisions of the highest court of this land. He has had before him the Schneiderman decision and the following language. In dealing with the Communist Party the Court said:

There is a material difference between agitation and exhortation calling for present violent action which creates a clear and present danger of public disorder or substantive evil, and mere doctrinal justification or prediction of the use of force under hypothetical conditions at some indefinite future time.

Confronted with the subsequent decision in the Bridges case, and confronted with three specific prohibitions, first, section 9 of article I of the Constitution, which constitutes the prohibition against a bill of attainder; second, amendment No. 5 with respect to due process; and third, amendment No. 6

with respect to trial by jury, the Attorney General, lacking evidence, having no evidence, could not proceed under the existing statutes. In attempting to outlaw the Communist Party, this committee found itself against the same constitutional prohibitions and against the fundamental proposition that there is no evidence that can stand the test of judicial process.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. MARCANTONIO. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. MUNDT. Mr. Chairman, I think at this late hour we should limit this closing debate to the time the gentleman has had and 5 minutes on the side of the committee.

Mr. MARCANTONIO. Then, Mr. Chairman, to take care of that argument, I will get the 5 minutes by offering a preferential motion.

Mr. MUNDT. That will take care of that.

The Clerk read as follows:

Mr. MARCANTONIO moves that the Committee do now rise and report the bill H. R. 5852 back to the House with the recommendation that the enacting clause be stricken from the bill.

Mr. MACKINNON. Mr. Chairman, a point of order. Has not that preferential motion already been made?

Mr. MARCANTONIO. Yes; but the bill has been amended, Mr. Chairman, since the first preferential motion was made, and therefore this preferential motion is in order.

Mr. MACKINNON. Mr. Chairman, I withdraw my point of order.

Mr. MARCANTONIO. Why must I work so hard to get additional 5 minutes' time? Mr. Chairman, this committee was confronted with lack of evidence with these constitutional prohibitions, and the decisions of the Supreme Court. So the committee devised this bill for the purpose of outlawing the Communist Party and attempted to do by indirection what the Constitution and the interpretations of the Constitution as handed down by the Supreme Court prohibited this committee and the Congress from doing directly. So what does the committee do? It substitutes for the doctrine of judicial determination of guilt the doctrine of legislation determination of guilt. That is the formula upon which this bill is based. It provides definitions and provides legislative findings of fact. Then after it makes these definitions and legislative findings of fact, it confers upon the Attorney General an administrative function, the function of determining guilt. In this case, the committee goes beyond the legislative determination of guilt and sets up also the doctrine of executive determination of guilt. Hence the Communist Party is dealt with first in section 2 with reference to the legislative finding, then in section 3 under definitions, and then in section 8 under registration and following that, the administrative section, section 13. So what do

we have? The Attorney General is finally given the power to say that the Communist Party is a Communist political organization. That power would have to be exercised by the court. The reason you do not permit the court to exercise that power is that you know there can be no evidence to sustain in the courts the legislative finding of facts that you set forth in section 2. So you have the Attorney General himself exercising the power to decide the guilt of the Communist Party. Then when the Communist Party goes into court indicted under section 4, it is deprived of the right of setting up any valid defense because of a legislative finding of fact, and the executive decree of guilt on the part of the Attorney General.

You have taken away from the jury the right to pass on the substantive question of whether or not the Communist Party constitutes a Communist political organization as you have defined it in section 3 of the bill. You have taken away from the court and jury the question whether the Communist Party constitutes a clear and present danger; whether or not it is a foreign agent; whether or not it advocates force and violence; whether or not the Communist Party seeks to establish a totalitarian dictatorship under control of a foreign power. Thus we have an innovation here. We have a very serious innovation here. It is an innovation that changes our very form of government. Judicial processes, trial by jury, due process, prohibition against bills of attainder, prohibition against legislative determination of guilt, all of that is placed on the scrap heap, and under the pressure of hysteria, accompanied with beating the war drums of hatred against the Soviet Union and against the Communists, you ask the Members of this House to do this work, a work which, in my considered judgment, is subversive of the Bill of Rights.

Mr. Chairman, in this last moment, all I can say is that the best guaranty of the freedoms and liberties and institutions of this Nation is the Bill of Rights of our Constitution, which with this bill you would destroy.

The CHAIRMAN. The time of the gentleman from New York [Mr. MARCANTONIO] has expired.

Mr. RANKIN. Mr. Chairman, I rise in opposition to the motion.

I do not propose to have that tirade against my Government and in favor of communism, the international enemy of our civilization, to be the last word spoken on this bill.

The gentleman from New York [Mr. MARCANTONIO], in his defense of communism here and his criticism of the United States of America, made the greatest argument in favor of this bill that I have heard. If there was any doubt at all up to this time, I am sure that it has been cleared away and that this bill will pass by an overwhelming majority.

The question was asked a moment ago, What would happen at the other end of the Capitol?

The American Legion, the Veterans of Foreign Wars, the Daughters of the American Revolution, and every other

patriotic organization in America is throwing its strength behind this bill, and when it gets to the other end of the Capitol you will see it taken up and, in my opinion, improved, strengthened, and passed.

Oh, I know it is the hope of you people who have fought the Committee on Un-American Activities all these years that this bill will die in a Senate committee. I predict that when this measure goes to the other end of the Capitol, those patriotic Members, who are just as much interested in our country as we are, will take it up and pass it, and probably make it stronger. I hope they make it stronger than it is in the form in which it passes here today.

I also want to pay my respects to the subcommittee, to Chairman THOMAS, and to all the other members of the committee who have served with me since 1945, when this committee was created as a standing committee and given power to legislate.

No committee of Congress has ever been abused by the enemies of our country as this one has. The members of this committee have taken more abuse at the hands of the subversive elements, members of the Communist Party, the Communist International, and members of the Communist-front organizations throughout the Nation, than the members of any other committee that has ever existed in this House, at least since I have been a Member.

I congratulate the committee. I congratulate the House, on the passage of this measure; and I predict that the other body will follow suit and not only pass this bill, but probably make it stronger than it is now and help to save America for Americans.

The CHAIRMAN. The time of the gentleman from Mississippi [Mr. RANKIN] has expired.

Mr. MUNDT. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. All debate has been closed on the pending motion.

Mr. MUNDT. I rise under the same privilege as that given the gentleman from New York [Mr. MARCANTONIO].

The CHAIRMAN. The gentleman will have his opportunity to make his motion after the disposition of the pending motion.

The question is on the motion offered by the gentleman from New York [Mr. MARCANTONIO].

The motion was rejected.

Mr. MUNDT. Mr. Chairman, I move to strike out the last three words and ask unanimous consent that all debate on this bill and all amendments thereto close in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. MUNDT. Mr. Chairman, we now come face to face with the roll call for which a great many Members have been waiting for 10 years, because we have come face to face with the roll call to determine whether freemen operating within the framework of their charter of freedom, the Constitution of the

United States, have the power to protect themselves and their Government and their way of life against subversive secret forces trying to overthrow this Government and deliver its control to foreign countries.

The gentleman from New York [Mr. MARCANTONIO] said that the Attorney General had adequate power now would he but decide to act. The Attorney General, however, said in appearing before the House Committee on Un-American Activities: "I lack the specific authority. I lack the precise mandates which Congress should provide to give me the authority to move in against the subversive Communists." So we asked the Attorney General what it was he lacked and he told us, and we plugged up those loopholes with this particular legislation.

The gentleman from New York [Mr. MARCANTONIO] has said that this legislation outlaws communism. We have made it very clear in the committee report, we have made it clear in the subcommittee report, we have made it clear in speaking in support of the bill that this legislation does not outlaw communism, but it does outlaw certain subversive activities in this country. If the Communists persist in engaging in those activities, they outlaw themselves by running into conflict with section 4 of this bill. Otherwise they are not outlawed.

I think the gentleman from Maine [Mr. FELLOWS] put it rather neatly when he asked the gentleman from New York as to whether or not an organization operating under this act could not exclude itself from its provisions if it severed its ties with the foreign country. Mr. MARCANTONIO agreed and the gentleman from Maine agreed, and we all agree that such is the situation.

But this legislation does sever the umbilical cord binding the American Communist Party to mother Russia and makes it find some new source of guidance and nourishment and support. This legislation operates much as the Hatch Act. The Hatch Act does not make it illegal for a Federal employee to participate in politics to a certain degree. He can vote as he chooses. He can discuss politics in the privacy of his own home, he can run for mayor, or he can run for the school board; but the Hatch Act does make illegal certain other activities. A Federal employee cannot become chairman of a political organization, he cannot address a public political rally. In the same way this legislation does not make communism illegal but it does make illegal certain activities in which Communists are likely to find themselves engaged.

If you want another analogy, this legislation is analogous to sections of the Taft-Hartley bill dealing with picketing. Under that legislation picketing is not made illegal, picketing is not outlawed, but certain kinds of picketing are made illegal, certain types of picketing are outlawed by the legislation. So in this bill, being a Communist is not made illegal and it is not outlawed, but practicing certain activities whether it be done by Communists, Bundists, Falangists, or Black Dragonists, those activities are made illegal.

Now, as we face up to this roll call, Mr. Chairman, let us not be deluded into thinking that we do not have to make a decision on this matter because the other body perhaps will lay it aside and do nothing between now and the time Congress adjourns. I think the other body will rise to its responsibilities. I think an aroused American public opinion will insist that the other body act with the alacrity and the intelligence manifest in this body. But whether the other body acts or does not act the responsibility is ours in the House where we have wrestled with this problem in our Special Committee on un-American Activities for 10 long years to bring to bear the evidence and the information we have acquired in enacting this positive and constructive act from the standpoint of protecting America against subversive operatives such as the Communists in America.

This decision is now ours to make. Once it is made, the other body of this Congress must face up to its responsibilities or face the consequences of its own indifference and inaction. The time has come for America to act in the interests of the defense of its own freedom and its own constitutional institutions. We of the House propose to act today and I trust the other body will have within it a group of individuals who will move in behind the sponsorship of this legislation. I believe that such leadership exists in the other body and that it will put its shoulder to the wheel without delay. I believe the enlightened and awakened public opinion of this Republic expects such action and that it will insist upon it. We Republicans have promised the country to move effectively against communism in this country—many Democrats have promised their constituents the same thing. I believe this is a pledge which Republicans and Democrats will join in redeeming in the present session of Congress.

Mr. Chairman, the long debate is over. The product of 10 long years of study and effort is now before us. Let us adopt it by an overwhelming roll-call vote and thereby give new hope to the forces of freedom around the world who are looking eagerly to America to point the way by which free men can protect their way of life against those who would enslave us all.

The CHAIRMAN. All time has expired. The question is on the committee substitute, as amended, for the bill:

The committee substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. WADSWORTH, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 5852) to combat un-American activities by requiring the registration of Communist-front organizations, and for other purposes, pursuant to House Resolution 582, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. HOLIFIELD. Mr. Speaker, I am opposed to the bill in its present form and I offer a motion to recommit.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. HOLIFIELD moves to recommit the bill H. R. 5852 to the Committee on Un-American Activities with instructions to report the same back to the House forthwith, with the following amendment: Strike out all after the enacting clause of the bill and insert in lieu thereof the following:

"SHORT TITLE

"SECTION 1. This act may be cited as the 'Subversive Totalitarian Activities Control Act, 1948.'

"NECESSITY FOR LEGISLATION

"SEC. 2. As a result of evidence adduced before various committees of the Senate and House of Representatives, Congress hereby finds that—

"(1) The system of government known as totalitarian dictatorship is characterized by the existence of a single political party, organized on a dictatorial rather than a democratic basis, and by an identity between such party and its policies and the government and governmental policies of the country in which it exists, such identity being so close that the party and the government itself are for all practical purposes indistinguishable.

"(2) The establishment of a totalitarian dictatorship in any country results in the destruction of free democratic institutions, the ruthless suppression of all opposition to the party in power, the complete subordination of the rights of individuals to the state, the denial of fundamental rights and liberties which are characteristic of a democratic or representative form of government, such as freedom of speech, of the press, of assembly, and of religious worship, and results in the maintenance of control over the people through fear, terrorism, and brutality.

"(3) There exists a world Communist movement which, in its origins, its development, and its present practice, is a worldwide revolutionary political movement whose purpose it is, by treachery, deceit, infiltration into other groups (governmental and otherwise), espionage, sabotage, terrorism, and any other means deemed necessary, to establish a Communist totalitarian dictatorship in all the countries of the world through the medium of a single world-wide Communist political organization.

"(4) The direction and control of the world Communist movement is vested in and exercised by the Communist dictatorship of a foreign country.

"(5) The Communist dictatorship of such foreign country, in exercising such direction and control and in furthering the purposes of the world Communist movement, establishes or causes the establishment of, and utilizes, in various countries, political organizations which are acknowledged by such Communist dictatorship as being constituent elements of the world Communist movement; and such political organizations are not free and independent organizations, but are mere sections of a single world-wide Communist organization and are controlled, directed, and subject to the discipline of the Communist dictatorship of such foreign country.

"(6) The political organizations so established and utilized in various countries, acting under such control, direction, and discipline, endeavor to carry out the objectives of the world Communist movement by bringing about the overthrow of existing governments and setting up Communist totalitarian dictatorships which will be subservient to the most powerful existing Communist totalitarian dictatorship, and among the methods commonly used to accomplish this end in any particular country are (A) the disruption of trade and commerce, (B) the inciting of economic, social, and racial strife and conflict, (C) the dissemination of propaganda calculated to undermine established government and institutions, and (D) corrupting officials of the Government and securing the appointment of their agents and sympathizers to offices and positions in the Government.

"(7) In carrying on the activities referred to in paragraph (6), such political organizations in various countries are organized on a secret, conspiratorial basis and operate to a substantial extent through organizations, commonly known as Communist fronts, which in most instances are created and maintained, or used, in such manner as to conceal the facts as to their true character and purposes and their membership. One result of this method of operation is that such political organizations are able to obtain financial and other support from persons who would not extend such support if they knew the true purposes of, and the actual nature of the control and influence exerted upon, such 'Communist fronts.'

"(8) Due to the nature and scope of the world Communist movement, with the existence of affiliated constituent elements working toward common objectives in various countries of the world, travel of members, representatives, and agents from country to country is essential for purposes of communication and for the carrying on of activities to further the purposes of the movement.

"(9) In the United States those individuals who knowingly and willfully participate in the world Communist movement, when they so participate, in effect repudiate their allegiance to the United States and in effect transfer their allegiance to the foreign country in which is vested the direction and control of the world Communist movement; and, in countries other than the United States, those individuals who knowingly and willfully participate in such Communist movement similarly repudiate their allegiance to the countries of which they are nationals in favor of such foreign Communist country.

"(10) In pursuance of communism's stated objectives, the most powerful existing Communist dictatorship has, by the traditional Communist methods referred to above, and in accordance with carefully conceived plans, already caused the establishment in numerous foreign countries, against the will of the people of those countries, of ruthless Communist totalitarian dictatorships, and threatens to establish similar dictatorships in still other countries.

"(11) The recent successes of Communist methods in other countries and the nature and control of the world Communist movement itself present a potential danger to the security of the United States and to the existence of free American institutions and make it necessary that Congress enact appropriate legislation recognizing the existence of such world-wide conspiracy and designed to prevent it from accomplishing its purpose in the United States.

"Sec. 3. The Attorney General is hereby authorized and directed to prepare and submit to the Congress—

"(1) a detailed report of efforts by the Department of Justice to enforce—

"(A) the Federal Corrupt Practices Act, 1925, as amended;

"(B) the act of June 8, 1938, entitled 'An act to require the registration of certain per-

sons employed by agencies to disseminate propaganda in the United States, and for other purposes';

"(C) the Alien Registration Act, 1940; and
"(D) the act of October 17, 1940, entitled 'An act to require the registration of certain organizations within the United States, and for other purposes.'

"(2) specific and detailed recommendations as to what additional legislation is needed to bring about the complete exposure of all activities looking toward the creation in the United States of a totalitarian system; and

"(3) specific and detailed recommendations with respect to strengthening each of the laws specified in paragraph (1) for the purpose of protecting the United States against the activities of those working toward the establishment of a totalitarian system of government in the United States. "As used in this section, the term 'totalitarian system' shall include any Communist or Fascist system whether it be under foreign or domestic sponsorship, management, direction, or supervision."

Mr. MUNDT. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The question was taken; and the Speaker announced that the "nays" appeared to have it.

Mr. HOLIFIELD. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were refused.

So the motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

Mr. MUNDT. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 319, nays 58, not voting 54, as follows:

[Roll No. 68]

YEAS—319

Abbutt	Butler	Dolliver
Abernethy	Byrne, N. Y.	Domengeaux
Albert	Byrnes, Wis.	Dondero
Allen, Ill.	Camp	Eaton
Allen, La.	Canfield	Elliott
Andersen,	Cannon	Ellis
H. Carl	Carson	Elsasser
Andresen,	Case, N. J.	Elston
August H.	Case, S. Dak.	Engel, Mich.
Andrews, Ala.	Chadwick	Ewins
Andrews, N. Y.	Chapman	Fallon
Angell	Cheif	Fellows
Arends	Chenoweth	Fenton
Arnold	Chipperfield	Fletcher
Auchincloss	Church	Fuller
Bakewell	Clark	Gamble
Banta	Clason	Garmatz
Barden	Clevenger	Gary
Barrett	Clippingier	Gathings
Bates, Ky.	Coffin	Gavin
Bates, Mass.	Cole, Kans.	Gearhart
Battle	Cole, Mo.	Gillette
Beall	Cole, N. Y.	Gille
Beckworth	Colmer	Goff
Bender	Combs	Goodwin
Bennett, Mich.	Cooper	Gore
Bennett, Mo.	Corbett	Gossett
Bishop	Cotton	Graham
Blackney	Coudert	Grant, Ala.
Bland	Courtney	Grant, Ind.
Boggs, Del.	Cox	Gregory
Bolton	Cravens	Griffiths
Bradley	Crawford	Gwinn, N. Y.
Brehm	Crow	Gwynne, Iowa
Brophy	Cunningham	Hagen
Brown, Ga.	Curtis	Hale
Brown, Ohio	Dague	Hall
Bryson	Davis, Ga.	Edwin Arthur
Buck	Davis, Tenn.	Hall,
Buffett	Davis, Wis.	Leonard W.
Burke	Dawson, Utah	Halleck
Burleson	Devitt	Hand
Busbey	Dirksen	Hardy

Harness, Ind.	Maloney	Rohrbough
Harris	Manasco	Rooney
Harrison	Mansfield	Ross
Hart	Martin, Iowa	Russell
Harvey	Mason	Sadlak
Hays	Mathews	St. George
Herter	Meade, Ky.	Sanborn
Hess	Meade, Md.	Sarbacher
Hill	Morrow	Sasser
Hinshaw	Meyer	Schwabe, Mo.
Hobbs	Michener	Schwabe, Okla.
Hoeven	Miller, Md.	Scott, Hardie
Holmes	Miller, Nebr.	Scott,
Hope	Mills	Hugh D., Jr.
Horan	Mitchell	Scrivner
Hull	Monrone	Seely-Brown
Jackson, Calif.	Morrison	Shafer
Jonison	Muhlenberg	Sikes
Jennings	Mundt	Simpson, Ill.
Jensen	Murray, Tenn.	Simpson, Pa.
Johnson, Calif.	Murray, Wis.	Smathers
Johnson, Ill.	Nicholson	Smith, Kans.
Johnson, Ind.	Nixon	Smith, Va.
Jones, Ala.	Nodar	Smith, Wis.
Jones, Wash.	Norblad	Snyder
Jonkman	Norrell	Spence
Judd	O'Konski	Stanley
Kearns	O'Toole	Stefan
Keating	Owens	Stevenson
Keefe	Pace	Stockman
Keogh	Patman	Stratton
Kerr	Patterson	Sundstrom
Kersten, Wis.	Peden	Taber
Kilburn	Peterson	Talle
Kilday	Phillips, Calif.	Taylor
Kunkel	Phillips, Tenn.	Teague
Landis	Pickett	Thomas, Tex.
Lanham	Ploeser	Thompson
Larcade	Plumley	Tibbott
Latham	Poage	Tollefson
Lea	Potter	Trimble
LeCompte	Potts	Twyman
LeFevre	Poulson	Vall
Lewis, Ky.	Preston	Van Zandt
Lewis, Ohio	Price, Fla.	Vinson
Lichtenwalter	Priest	Vorys
Lodge	Rains	Vursell
Love	Ramey	Wadsworth
Lucas	Rankin	Walter
Lusk	Rayburn	Weichel
Lyle	Reed, Ill.	Welch
McConnell	Reed, N. Y.	Wheeler
McCormack	Rees	Whitten
McCowan	Reeves	Whittington
McCulloch	Regan	Wigglesworth
McDonough	Rich	Williams
McDowell	Richards	Wilson, Ind.
McGarvey	Riehlman	Wilson, Tex.
McGregor	Riley	Winstead
McMahon	Rivers	Wolcott
McMillan, S. C.	Rizley	Wolverton
McMillen, Ill.	Robertson	Wood
Mack	Rockwell	Woodruff
MacKinnon	Rogers, Fla.	Worley
Mahon	Rogers, Mass.	Youngblood

NAYS—58

Blatnik	Gorski	Lynch
Bloom	Granger	Madden
Buchanan	Harless, Ariz.	Marcantonio
Buckley	Havener	Miller, Conn.
Carroll	Hedrick	Morgan
Celler	Heffernan	Morris
Crosser	Heselton	Multer
Dawson, Ill.	Hollfield	Murdock
Delaney	Huber	Norton
Dingell	Isacson	O'Brien
Donohue	Javits	Pfeifer
Douglas	Karsten, Mo.	Philbin
Eberharter	Kean	Powell
Ellsworth	Kee	Price, Ill.
Feighan	Kelley	Sabath
Fernandez	King	Sadowski
Fogarty	Klein	Smith, Ohio
Foote	Lemke	Somers
Forand	Lesinski	
Gordon	Ludlow	

NOT VOTING—54

Allen, Calif.	Engle, Calif.	Johnson, Okla.
Anderson, Calif.	Fisher	Johnson, Tex.
Bell	Flannagan	Jones, N. C.
Boggs, La.	Folger	Kearney
Bonner	Fulton	Kefauver
Boykin	Gallagher	Kennedy
Bramblett	Gross	Kirwan
Brooks	Hartley	Knutson
Bulwinkle	Hébert	Lane
Cooley	Hendricks	Macy
Deane	Hoffman	Miller, Calif.
D'Ewart	Jackson, Wash.	Morton
Dorn	Jarman	O'Hara
Doughton	Jenkins, Ohio	Passman
Durham	Jenkins, Pa.	Redden

Scoblick Smith, Maine Towe
Sheppard Stigler West
Short Thomas, N. J. Whitaker

So the bill passed.

The Clerk announced the following pairs:

On this vote:

Mr. Doughton for, with Mr. Folger against.
Mr. Deane for, with Mr. Jackson of Washington against.

Mr. Hoffman for, with Mr. Kirwan against.

General pairs until further notice:

Mrs. Smith of Maine with Mr. Johnson of Oklahoma.

Mr. Thomas of New Jersey with Mr. Hébert.

Mr. Jenkins of Ohio with Mr. Bell.

Mr. Gross with Mr. Redden.

Mr. Morton with Mr. Passman.

Mr. Macy with Mr. Fisher.

Mr. Bramblett with Mr. Durham.

Mr. Allen of California with Mr. Whitaker.
Mr. Anderson of California with Mr. Engle of California.

Mr. D'Ewart with Mr. Stigler.

Mr. Gallagher with Mr. Bonner.

Mr. Towe with Mr. Cooley.

Mr. Short with Mr. Kennedy.

Mr. Jenkins of Pennsylvania with Mr. Jones of North Carolina.

Mr. Kearney with Mr. Kefauver.

Mr. O'Hara with Mr. Lane.

Mr. Scoblick with Mr. Miller of California.
Mr. Knutson with Mr. Sheppard.

The result of the vote was announced as above recorded.

The title was amended so as to read: "A bill to protect the United States against un-American and subversive activities."

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. NIXON. Mr. Speaker, I ask unanimous consent that all Members may have five legislative days within which to extend their own remarks on this bill in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

EXTENSION OF REMARKS

Mrs. NORTON asked and was given permission to extend her remarks in the Appendix of the RECORD and include two articles.

Mr. SMITH of Wisconsin asked and was given permission to extend his remarks in the Appendix of the RECORD in two separate instances and in each to include extraneous matter.

Mr. MITCHELL asked and was given permission to include extraneous matter in the remarks he made in the Committee of the Whole today.

Mr. O'KONSKI asked and was given permission to extend his remarks in the Appendix of the RECORD in two separate instances and in each to include a newspaper article.

Mr. HESELTON asked and was given permission to extend his remarks in the Appendix of the RECORD and include a radio address.

Mr. McDONOUGH asked and was given permission to revise and extend the remarks he made in the Committee of the Whole today and include extraneous matter.

Mr. PLUMLEY. Mr. Speaker, notwithstanding the request heretofore

made, I now ask unanimous consent again to extend my own remarks in the Appendix and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. KEATING asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial from the New York Herald Tribune and one from the Rochester Courier-Journal.

Mr. EDWIN ARTHUR HALL asked and was given permission to extend his remarks in the Appendix of the RECORD and include a radio address.

Mr. SEELY-BROWN asked and was given permission to extend his remarks in the Appendix of the RECORD and include a radio address.

Mr. KLEIN asked and was given permission to extend his remarks in the Appendix of the RECORD in two separate instances and to include in each extraneous matter.

Mr. KERSTEN of Wisconsin asked and was given permission to extend his remarks in the Appendix of the RECORD in two separate instances and in each to include articles.

Mr. JUDD. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and to include therein an editorial from the Washington Post showing the necessity for an amendment of the United Nations Charter, in order to make it work more effectively.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. MARCANTONIO asked and was given permission to revise and extend the remarks he made in the Committee of the Whole today and include extraneous matter.

SURPLUS PROPERTY ACT—SUBSTITUTION OF CONFEREES

Mr. WADSWORTH. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. HARVEY] be excused from serving as a conferee on the part of the House on the bill (H. R. 2239) to amend section 13 (a) of the Surplus Property Act of 1944, as amended, due to absence from the city.

The SPEAKER. Is there objection to the request of the gentleman from New York? [After a pause.] The Chair hears none and appoints the gentleman from West Virginia [Mr. SNYDER] to serve as a conferee in place of the gentleman from Indiana. The Clerk will notify the Senate thereof.

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent to be excused from service as a conferee on the bill (S. 2277) to amend section 13 of the Surplus Property Act of 1944, as amended, to provide for the disposition of surplus real property to States, political subdivisions, and municipalities for use as public parks, recreational areas, and historic-monument sites, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from California? [After a pause.] The Chair hears none and appoints the gentleman

from Alabama [Mr. MANASCO] to serve in place of the gentleman from California. The Clerk will notify the Senate thereof.

SPECIAL ORDER CHANGED

Mr. SMITH of Wisconsin. Mr. Speaker, I ask unanimous consent that the special order I had for tomorrow may be transferred to Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

EXTENSION OF REMARKS

Mr. HAND asked and was given permission to extend his remarks in the RECORD following the amendment offered by Mr. COUDERT and include extraneous matter.

Mrs. DOUGLAS asked and was given permission to extend her remarks in the RECORD in five instances and include extraneous matter.

Mr. HORAN (at the request of Mr. HALLECK) was given permission to extend his remarks in the RECORD and include an article.

HOOR OF MEETING TOMORROW

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

LEGISLATIVE PROGRAM

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, I am informed that a rule has been granted on the bill (S. 2256) having to do with meat inspection. This is a bill reported unanimously by the Committee on Agriculture, as I understand it. If we have time during the balance of the week, that bill may be called up.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. HOLIFIELD, for 2 weeks, on account of official business.

SPECIAL ORDER GRANTED

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes on tomorrow after disposition of matters on the Speaker's desk and at the conclusion of any special orders heretofore entered.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

The SPEAKER. Under previous special order of the House, the gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 10 minutes.

VETERANS' HOMESTEAD HOUSING BILL

Mrs. ROGERS of Massachusetts. Mr. Speaker, lately there have appeared several incorrect statements regarding the cost of the veterans' homestead housing

bill, recently reported by the Committee on Veterans' Affairs. It is, as you know, an amendment to the original GI bill of rights, enacted in 1944.

Some have gone so far as to charge that the cost of this housing program for veterans of World War II would total over \$9,000,000,000. I can say to you that such a statement is totally and completely in error. The actual probable cost of this program will be negligible for the results obtained.

All of the expenditures for homes for veterans authorized by the homestead bill are of a reimbursable character. Not one cent of the money authorized for the direct construction of homes or housing units is a gift or subsidy. The money for such projects is to be obtained from the Veterans' Administration at one-fourth of 1 percent more than the cost of the money to the Government. All those who are familiar with operations in this field will agree that this one-fourth of 1 percent is more than adequate to bear the various costs of administration and handling.

There is ample precedent for this sort of aid. The Home Owners' Loan Corporation made loans to home owners during the depression which have been repaid in a most satisfactory manner with no loss to the Government and a prospective profit. I believe that the veterans of World War II will provide just as good a record if given the opportunity to participate under such a program.

The only direct cost to the Federal Treasury for this vast housing program is the comparatively small sum of \$200,000,000 to provide public facilities—small in comparison to the housing which will be provided. This sum would be used by the Federal Works Administrator to aid State and local governments or associations on a 50-percent matching basis for streets, water, sewer, and other similar facilities where such are not available or not provided by other means. Federal aid for such local community facilities was used during the war. During that period, more than \$300,000,000 was granted by the Federal Government to local public bodies for public facilities relating to housing for industrial workers. I believe that Members of this House will agree that a grant of two-thirds of this amount for the veterans of World War II is certainly a reasonable request and a very small cost to pay in connection with the substantial amount of housing that will be constructed under this bill. The veterans of World War II are good risks, Mr. Speaker.

Mr. Speaker, I want to bring up the matter of bills that the Committee on Veterans' Affairs has passed a good many months ago. Two of these are bills that were introduced by the gentleman from New Jersey [Mr. MATHEWS]. One is a bill that provides a slight increase to the widows and orphans. Today they cannot live on the pittance they receive. People receiving relief abroad are getting more than our widows are getting at home.

Mr. MATHEWS. Mr. Speaker, will the gentleman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from New Jersey.

Mr. MATHEWS. I am so familiar with the interest of the gracious gentleman from Massachusetts in veterans' affairs generally and so familiar with the fine work she has done that I cannot refrain from complimenting her every chance I get. I do so now.

In this connection it would be interesting to listen to a few figures which I compiled rather out of curiosity. Just take three of my own bills, for instance, H. R. 3748, to which the gentleman from Massachusetts has just referred, and which increases the compensation a little bit for widows and orphans of service-connected deaths, the Veterans' Administration estimates the increased cost under that bill for the first year at \$99,000,000 or thereabouts. Incidentally, information has just come to me that certain foreign countries, some of which are getting the money of our own taxpayers as gifts, have recently increased the benefits to their own war widows and orphans.

If we take the substitute Senate bill for H. R. 4007 the estimated cost will be about \$7,000,000 over all. H. R. 5588, which is known as the dependency allowance bill, slightly increases the compensation to disabled veterans who are receiving compensation and who have dependents, is estimated by the Veterans' Administration to cost an additional amount for the first year of around \$61,000,000, or a little over. Now, taking a very generous look at this and calculating for 4 years at \$100,000,000 for H. R. 3748 instead of \$99,000,000, that would cost \$400,000,000 for 4 years, and calculating H. R. 5588 at even a greater amount than the Veterans' Administration estimates, that would cost \$244,000,000 for 4 years, and then H. R. 4007, taking the substitute Senate 1391, would cost a total of \$7,000,000. That is a grand total for 4 years of \$651,000,000. I find in the CONGRESSIONAL RECORD under date of March 25, in the remarks of the gentleman from Michigan [Mr. WOODRUFF], that under the Marshall plan—and I suppose it is for the full 4 years; I am giving them the benefit of that—we will give away to Europeans \$911,000,000 in tobacco alone, which is \$2,500,000 more than the three bills would cost for the next 4 years.

But that is not all. It must be realized that these widows and children of our deceased war dead are paying their share of the \$911,000,000 worth of tobacco that is being given away to foreign countries and are also paying more for everything they buy due to the inflationary effect, however small or large that may be, resulting from the giving of billions of dollars to other nations. Thus, if we do not pass legislation increasing the compensation of these widows and orphans we are not just leaving them where they were. We are actually reducing the full value of the compensation they are now getting by this foreign spending. I thought the gentleman might be interested in that observation.

Mrs. ROGERS of Massachusetts. The gentleman from Massachusetts is very interested in the statement made by the gentleman from New Jersey [Mr. MATHEWS], who has so tirelessly worked for years and years for the veterans as well as working tirelessly in our Committee on

Veterans' Affairs in going over bills and trying to find the ones that would do the most good. He always searches for facts. I thought that the \$900,000,000 was even for a shorter time than 4 years under the Marshall plan.

Mr. MATHEWS. That is probably so, but I have given them the benefit of every doubt.

Mrs. ROGERS of Massachusetts. Even that, for tobacco alone, is more than is spent for feeding and clothing our widows and orphans. That is extremely significant. May I say to the gentleman that I have every belief that a rule or suspension will be granted to see that a measure of justice is done to the widows and to the orphans.

Mr. MATHEWS. May I say to the gentleman that I sincerely hope so, too. And, may I add that all three of the bills are wholeheartedly endorsed by the four prominent veterans organizations—the American Legion, the Disabled American Veterans, the Veterans of Foreign Wars, and the AMVETS.

Mr. RAMEY. Mr. Speaker, will the gentleman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from Ohio.

Mr. RAMEY. All of us on the committee share and concur in the judgment of the gentleman from New Jersey, Judge MATHEWS, and appreciate the devotion of the gentleman from Massachusetts for the welfare of the veterans. But, I want to further say that I realize that the chairman and all members of the committee know of the indefatigable work of the gentleman from New Jersey, Judge MATHEWS. There has not been a bill but what he has sought to get all the facts and give us the benefit of his investigation. We might further say that there is nothing even political about the gentleman from New Jersey, Judge MATHEWS. He is not a candidate; he is going to do much better at home in free activities, and I believe the gentleman will agree with me that no man will be more missed in this House, and who has our best wishes, than the gentleman from New Jersey, Mr. MATHEWS.

Mrs. ROGERS of Massachusetts. It will be a tremendous loss to everybody in the United States, and, most of all, to the veterans.

Mr. MATHEWS. Mr. Speaker, if the gentleman will yield, I thank the gentleman from Ohio and the gentleman from Massachusetts very much for those kind remarks.

Mrs. ROGERS of Massachusetts. I do not know what we will do without him.

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. ROSS] is recognized for 15 minutes.

YOUTH FLIGHT TRAINING

Mr. ROSS. Mr. Speaker, never was there a time in the history of America when the minds of our young people—boys and girls—were so dramatically focused on aviation. It is an awakening awareness of the vast potentialities of this field of endeavor for individual achievement, rather than a mere enthusiasm stimulated by the almost unbelievable air developments during and since World War II.

This Congress has passed legislation authorizing a 70-group air force. This expansion of our military air power to the largest in peacetime history will accentuate youth's interest in aviation. Aviation is a young industry. It is likewise an industry for the young. There are millions of young people today who find in aviation the kind of work and life that appeals to their imagination and interest, where not even the sky is the limit of their hopes.

Young America, having caught the germ of aviation, cannot be cured by any means except to participate in its development and progress. The youth of the country should be encouraged to participate. If America is to retain its supremacy in the field of aviation, if we are to develop to the fullest the potentialities of this great industry, if we are to have a trained reservoir of young manpower, schooled in the fundamentals of aviation, to meet the requirements of a sudden war, then the Federal Government must inaugurate a broad national program for the education and training of the youth of the Nation in the great science of aviation.

The science of aviation is growing at an accelerated pace, but the rate of growth of flying still depends on three major factors: One, aircraft; two, airports; three, pilots. The three are interdependent. Federal assistance in the development of one means assisting them all.

It is evident that without pilots there would be no need for aircraft or airports; therefore, flight training and aviation education are matters of national concern. Basic flying training costs more than the large majority of our young people can afford, so it becomes evident that Federal assistance to a new civilian flight-training program for our youth is desirable and essential if our Nation is to continue to lead the world in all fields of aviation development.

VITAL IMPACT OF CPT-WTS PROGRAMS ON AMERICAN AVIATION

Despite criticism from certain quarters leveled toward the civilian pilot training program of the Civil Aeronautics Administration during 1939 to 1944, this program undeniably proved the most farsighted and progressive step ever taken in American aviation. Also, the GI flight-training program carried on under the Servicemen's Readjustment Act—notwithstanding the obvious abuses about which most of you have heard—has been of inestimable value to the progress of aviation.

But, let us take a look at the record of the former CPT-WTS programs, since they present a more comprehensive picture of civil aviation training objectives. The very fact that the GI flight-training program is restricted only to veterans of World War II and is of temporary nature, is my reason for advocating a national program of youth flight training.

CPT, as it was labeled back in 1939, had the twofold justification of creating a reservoir of young pilots for national defense and of stimulating the advancement of personal flying, a phase of aviation which surprisingly had lagged behind others although it afforded the

greatest potential for new employment and investment opportunities.

After the peacetime CPT program shifted to a wartime basis and training was given only to those men in the Reserve and finally on active duty, the pace was greatly accelerated, and during that period a staggering total of 326,816 men received CPT-WTS courses. It cannot be claimed that these trainees were finished military pilots, but it cannot be questioned that the paralyzing blows struck by our Air Force against Nazi production and communications would have been dangerously delayed without the patriotic service of the civilian flight schools that participated in the program.

Militarily speaking, CPT yielded returns which have not been fully appreciated by the general public. Out of the 91,139 trainees completing one or more courses on the original civilian basis, more than 62,000 entered military aviation or a closely related wartime activity.

As a result of the CPT-WTS programs, there was a striking increase in the total number of pilots and the total number of civil aircraft purchased—about 435,000 trainees received close to 12,000,000 hours of flying in some 504,000 courses. Also, the number of privately owned registered aircraft increased from 13,507 in 1939 to 24,470 in 1941, or 45.4 percent.

The direct and far-reaching benefits to both civil and military aviation resulting from the CPT-WTS programs can never be valued in mere dollars and cents. Certainly, some mistakes were made. Any program of such magnitude cannot escape errors, and the many other complications involved in a tremendous new undertaking. But out of the melting pot of complexities emerged such vital national aviation development and advancement that the programs will forever reflect creditably for its founders.

At this point, I might add that the farsighted men who conceived and pioneered the CPT program were well aware that they were putting the cart before the horse. They also well knew that any long-range program in aviation should begin with aviation education at the grade-school level—the grass roots, if I may repeat a well-worn expression. They further knew that time was a premium for already war clouds were darkening the European horizon when authorization was granted by Congress for the first experimental program. It was then a matter of grave concern to train young men of college age who would be ready to defend our skies if war came soon—as it did. Such outstanding young men as Majors Joe Foss, Walter Mahurin, and Dick Bong, America's leading air aces in World War II, began their flying careers in the CPT program.

CPT ACHIEVEMENTS

The over-all achievements of the CPT program are too manifold to mention, but I would like to mention several of the major ones. Many thousands of persons, stimulated by the example of CPT trainees in their community, learned to fly on their own and to buy new aircraft. Moreover, CPT contracts helped to establish new centers of personal flying

activity which continued to expand after the program was terminated. Many small, fixed-base operators were afforded an opportunity to enlarge the scope of their activities and to improve their facilities. Also, many new fixed-base operators came into being along with new airports and landing fields. It is interesting to note that before the inauguration of CPT in 1939 there were only 37 CAA approved flight schools in the entire Nation. At the cessation of CPT-WTS on January 1, 1945, despite coastal defense restrictions and other wartime controls, there were 470 approved flight schools, or about a 1,300-percent increase. This increase proved not only quantitative but qualitative since an approved flight school must provide instruction of uniformly high standard. Today there are 3,006 approved flight schools.

The record of the CPT schools from the safety standpoint was recognized by conservative insurance companies since, during the period of CPT operations, they lowered their rates seven times based on accumulated actuarial experience. At the beginning of the program, rates were as high as \$35 for a \$3,000 life policy but were eventually reduced to \$4.90 for the same policy, including hospitalization.

The CPT program also was instrumental in establishing aviation as a permanent course in the college and university curriculum. The American Council on Education, in its survey conducted in 1944 for the CAA, revealed that at least 399 institutions of higher learning offered academic work in aviation with the majority of courses giving academic credit. Today, an increased number of colleges and universities are providing such courses.

AVIATION COURSES INTRODUCED IN ELEMENTARY AND SECONDARY SCHOOLS

Elementary and secondary schools throughout the Nation also became increasingly interested in establishing aviation courses, as part of their curriculum, as a result of the activities of aviation education at the community level. The avid enthusiasm of boys and girls in anything aviation caused educators to recognize that aviation had become as essential an element in our cultural pattern as grammar and arithmetic. Today, more than half of the Nation's high schools are including some form of aviation education in their curriculum. Many of the secondary schools have added to their classroom work actual flight experience—generally about 4 hours of dual instruction with the objective of giving the student a clearer understanding of the principles of flight. Over a million students in our public schools already have taken aviation courses or other courses in which aviation subjects have been introduced.

WHAT IS AVIATION EDUCATION?

I have purposely discussed at length the CPT-WTS programs so that their far-reaching and vital impact on American aviation and education could be better understood. It should be clearly recognized that aviation education goes far beyond purely flight training. It in-

volves new ideas regarding international, social, and political relationships. It embraces a new world aero-economy. It provides changed geographical thinking and, even more significant than these, it offers an understanding of air power and its vital place in the future course of world developments.

Aviation education is the study of all aspects and effects of the airplane, most important of which is the airplane's effect on individual living and on world development.

World-famous sociologists, political scientists, and economists have said that the airplane is now in the process of bringing about more change in the way people live than did the industrial revolution of the seventeen hundreds. This means revolutionary changes for the youth of this generation.

It is, therefore, the job of aviation education to bring to both youth and adults of this age, first, understanding of the new world concepts which the airplane is making; second, understanding of those institutions that are being established now and will be established in the future for the control of aviation in the interests of mankind. These understandings may be taught in special classes. More often, however, in their general-education aspects they are fused into the regularly taught subjects of the curriculum.

Senator KNOWLAND, of California, in his recent article on Aviation Education, said:

In this atomic age in which we live, the United States must keep ahead of the field in both civilian and military aviation * * * out of our schools and colleges will come those who will make sure that we maintain our place of leadership.

Therefore, because of the dynamic effect of the airplane on the world and because the understanding of air-world ideas is a primary necessity for efficient and peaceful living in an air age, we must have aviation education in the modern school curriculum.

AVIATION INDUSTRY OWES ACHIEVEMENTS TO EDUCATION

Our great aviation industry of today with all of its magnificent achievements owes its very existence and its future to educational institutions of the Nation. With no mathematician, no engineer, no scientist, no management there would be no airplane and no aviation industry.

Education produced the scientists who penetrated the innermost secrets of atomic energy; education produced the engineers who perfected the atomic bomb; education must produce the citizens of tomorrow who will carry on this great aviation industry of ours so that America will continue to be foremost in world aeronautical achievement.

The CAA is charged by Congress with the fostering and developing of civil aviation. This Government organization recognizes that if aviation is to reach its maximum development it must foster greater public understanding of all its aspects.

AVIATION TRAINING MUST BE EXTENDED TO ALL EDUCATIONAL LEVELS

The pioneering work of the Federal Government in stimulating the interest of our youth in aviation cannot lag now in these critical times, but must be con-

tinuously encouraged and strengthened. Aviation training must be extended to all levels of our educational system in order that knowledge and skill in its varied phases may be widespread throughout the Nation, and a fundamentally sound foundation laid for the uninterrupted development and advancement of civil aviation.

Since one of the major functions of education is to prepare our young people to live effectively, it becomes our duty to consider the effects of aviation which tend to change the life and thinking of our Nation and of the world. By the same token, educators will wish to make themselves more effective by adapting the schools to the social, economic, political, and moral changes which have been, are being, and will be, brought about by the growth of aviation.

It is in our schools that the intelligent appreciation and understanding of aviation may commence, and be fostered and encouraged. The problem is not one of choosing between new interests which aircraft are bringing into the daily experience of boys and girls and the traditional subjects and skills for learning. It does not imply displacing or slighting the basic academic studies.

At this very moment, there is an ideal combination of circumstances—national and international—conducive to aviation growth. If we are laggard in our responsibilities many of these favorable factors will be lost. With congressional foresight and cooperation, a \$20,000,000,000 war-developed industry, instead of retarding in development, can pioneer to a new and almost limitless economic frontier tomorrow, through the aviation training of our youth today.

AVIATION NOW BIG BUSINESS

We all appreciate that aviation—in its many facets—has developed into big business, although in the matter of development it is still a young business. It is not only big business, it is a potent factor in our domestic and international affairs and world commerce. But to become big business it was necessary to begin as small business, suffering the hardships, the physical and financial reverses, and to pioneer revolutionary ideas which have resulted in the achievement of mature status over the past few decades.

It is inevitable that the American people think in the terms of big accomplishments—the world's largest aircraft, the greatest number of air routes, the constant establishment of global flight records, and the like. But let us not lose sight of the fact that such outstanding aviation achievements may be traced back to the earlier pioneering of the small operators, who in the infancy of aviation provided the spark which ignited the imagination of our scientists, technicians, and business tycoons and made aviation what it is today.

AVIATION FUTURE STAGGERS IMAGINATION

The future of aviation is so tremendous that it staggers the imagination. None of us knows exactly its limitations or its potentialities. We can only watch the inevitable progress of this youngest of industries and assist in its phenomenal growth in every possible way.

It is only fitting that I conclude my remarks with another quotation from the above-mentioned congressional report on the same page:

An aeronautical educational program should be established throughout the public-school system in order that basic problems of the air age—global geography, meteorology, navigation, mechanics, communications, and the rudiments of flight—are well understood by future generations.

I am preparing a bill which I will introduce next week authorizing the CAA to sponsor and promote a Nation-wide program of education and training in aviation for elementary and secondary schools. Let us make America a Nation with mightier wings by teaching all of our youth basic aviation principles now.

EXTENSION OF REMARKS

Mr. MUNDT asked and was given permission to extend his remarks in the RECORD and include some newspaper clippings.

ENROLLED BILLS SIGNED

Mr. Lecompte, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 1878. An act to amend the immigration laws to deny admission to the United States of aliens who may be coming here for the purposes of engaging in activities which will endanger the public safety of the United States;

H. R. 3219. An act to authorize the Federal Works Administrator or officials of the Federal Works Agency duly authorized by him to appoint special policemen for duty upon Federal property under the jurisdiction of the Federal Works Agency, and for other purposes;

H. R. 3510. An act to authorize the construction, protection, operation, and maintenance of public airports in the Territory of Alaska; and

H. R. 5193. An act to amend the Nationality Act of 1940.

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 188. An act for the relief of Dionisio R. Trevino;

S. 315. An act for the relief of Reginald Mitchell;

S. 511. An act for the relief of Francisco Gamboa Giocoechea;

S. 1050. An act to amend the act entitled "An act to promote the mining of potash on the public domain," approved February 7, 1927, so as to provide for the disposition of the rentals and royalties from leases issued or renewed under the act entitled "An act to authorize exploration for and disposition of potassium," approved October 2, 1917;

S. 1305. An act to amend section 24 of the Federal Power Act so as to provide that the States may apply for reservations of portions of power sites released for entry, location, or selection to the States for highway purposes;

S. 1365. An act for the relief of Lowe Way Yuen, and Dang Chee;

S. 1451. An act for the relief of Perfecto M. BIASON and Joan BIASON;

S. 1483. An act for the relief of Guy Cheng;

S. 1571. An act to promote the national defense by increasing the membership of the National Advisory Committee for Aeronautics, and for other purposes;

S. 1637. An act for the relief of Leo Hamermann;

S. 1651. An act to amend the General Bridge Act of 1946;

S. 1874. An act authorizing the head of the department or agency using the public domain for national-defense purposes to compensate holders of grazing permits and licenses for losses sustained by reason of such use of public lands for national-defense purposes; and

S. 2233. An act to authorize the Secretary of the Navy to grant to the East Bay municipal utility district, an agency of the State of California, an easement for the construction and operation of a water main in and under certain Government-owned lands comprising a part of the United States naval air station, Alameda, Calif.

BILLS PRESENTED TO THE PRESIDENT

Mr. LeCOMPTE, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H. R. 3350. An act relating to the rules for the prevention of collisions on certain inland waters of the United States and on the western rivers, and for other purposes; and

H. R. 5933. An act to permit the temporary free importation of racing shells, and increasing the amount of exemptions allowed for personal purchases abroad.

ADJOURNMENT

Mr. HALLECK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 40 minutes p. m.), under its previous order, the House adjourned until tomorrow, Thursday, May 20, 1948, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1563. A communication from the President of the United States, transmitting a revision of the appropriation language for fiscal year 1949, involving an increase in the amount of \$150,000,000 for civil functions, Department of the Army (H. Doc. No. 659); to the Committee on Appropriations and ordered to be printed.

1564. A letter from the Comptroller General of the United States, transmitting a report on the audit of Federal Savings and Loan Corporation for the fiscal years ended June 30, 1945 and 1946 (H. Doc. No. 660); to the Committee on Expenditures in the Executive Departments and ordered to be printed.

1565. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated March 3, 1948, submitting a report, together with accompanying papers and an illustration, on a review of reports on the Mississippi River between the Missouri River and Minneapolis for the construction of a harbor at Fort Madison, Iowa, requested by a resolution of the Committee on Rivers and Harbors, House of Representatives, adopted on July 9, 1945 (H. Doc. No. 661); to the Committee on Public Works and ordered to be printed, with one illustration.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DONDERO: Committee on Public Works. H. R. 5710. A bill to amend the act entitled "An act to expedite the provision of

housing in connection with national defense, and for other purposes," approved October 14, 1940, as amended; with an amendment (Rept. No. 1983). Referred to the Committee of the Whole House on the State of the Union.

Mrs. ROGERS of Massachusetts: Committee on Veterans' Affairs. H. R. 6448. A bill to direct the Administrator of Veterans' Affairs to convey certain land in Tennessee to the city of Johnson City; with amendments (Rept. No. 1984). Referred to the Committee of the Whole House on the State of the Union.

Mr. JENNINGS: Committee on the Judiciary. H. R. 6130. A bill for the relief of certain postal employees; without amendment (Rept. No. 1996). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. JENNINGS: Committee on the Judiciary. S. 252. An act for the relief of the estate of Lee Jones Cardy; without amendment (Rept. No. 1976). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on the Judiciary. S. 314. An act for the relief of Robert E. Lauritzen; without amendment (Rept. No. 1977). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on the Judiciary. S. 825. An act for the relief of Ern Wright; without amendment (Rept. No. 1978). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on the Judiciary. S. 1055. An act for the relief of Mrs. Irma M. Pierce and Charles Z. Pierce; without amendment (Rept. No. 1979). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on the Judiciary. S. 1206. An act for the relief of Jack O'Donnell Graves; without amendment (Rept. No. 1980). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on the Judiciary. S. 1588. An act for the relief of E. W. Strong; without amendment (Rept. No. 1981). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on the Judiciary. S. 1886. An act for the relief of William M. Looney; without amendment (Rept. No. 1982). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on the Judiciary. H. R. 435. A bill for the relief of Stone & Cooper Coal Co., Inc.; without amendment (Rept. No. 1985). Referred to the Committee of the Whole House.

Mr. BYRNE of New York: Committee on the Judiciary. H. R. 1076. A bill for the relief of Chester O. Glenn; with an amendment (Rept. No. 1986). Referred to the Committee of the Whole.

Mr. JENNINGS: Committee on the Judiciary. H. R. 1528. A bill for the relief of Jennie Olsen Andersen, widow and Arthur Andrew Andersen, infant son, of Carl Edward Andersen; with amendments (Rept. No. 1987). Referred to the Committee of the Whole House.

Mr. BYRNE of New York: Committee on the Judiciary. H. R. 2091. A bill for the relief of the Bunge North-American Grain Corp., the Corporacion Argentina de Productores de Carnes, Herman M. Gidden, and the Overseas Metal & Ore Corp.; with amendments (Rept. No. 1988). Referred to the Committee of the Whole House.

Mr. CASE of New Jersey: Committee on the Judiciary. H. R. 2508. A bill for the relief of James I. Mathews; with an amend-

ment (Rept. No. 1989). Referred to the Committee of the Whole House.

Mr. REEVES: Committee on the Judiciary. H. R. 2916. A bill for the relief of Walter Vandahl and Esther S. Vandahl, Allabrada Adams, Lucile L. Rice, Mrs. Gladys Webb, and James E. Webb; with amendments (Rept. No. 1990). Referred to the Committee of the Whole House.

Mr. REEVES: Committee on the Judiciary. H. R. 3062. A bill for the relief of the estate of Rudolph Maximilian Goepf, Jr.; with amendments (Rept. No. 1991). Referred to the Committee of the Whole House.

Mr. REEVES: Committee on the Judiciary. H. R. 3713. A bill for the relief of Mrs. Judge E. Estes; with an amendment (Rept. No. 1992). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on the Judiciary. H. R. 4663. A bill conferring jurisdiction on the United States District Court for the Middle District of Georgia to hear, determine, and render monetary judgment upon the claims of the city of Macon, Ga.; with amendments (Rept. No. 1993). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on the Judiciary. H. R. 5270. A bill for the relief of Mrs. Hope Irene Buley; with an amendment (Rept. No. 1994). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on the Judiciary. H. R. 6083. A bill for the relief of Elizabeth Rowland; without amendment (Rept. No. 1995). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. KILDAY:

H. R. 6616. A bill to create additional Secretaries of the Armed Services for Reserve components; to the Committee on Armed Services.

By Mr. LANHAM:

H. R. 6617. A bill to provide military leave with pay for members of the Reserve Corps of the Army and Air Force who are officers or employees of the United States or the District of Columbia; to the Committee on Armed Services.

By Mr. RIEHLMAN:

H. R. 6618. A bill to provide for certain administrative expenses in the Post Office Department, including retainment of pneumatic-tube systems, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. WEST:

H. R. 6619. A bill authorizing the transfer to the United States Section, International Boundary and Water Commission, by the War Assets Administration of a portion of Fort Brown at Brownsville, Tex., and adjacent borrow area, without exchange of funds or reimbursement; to the Committee on Expenditures in the Executive Departments.

By Mr. CURTIS (by request):

H. R. 6620. A bill to provide for cooperation by the Smithsonian Institution with State, educational, and scientific organizations in the United States for continuing paleontological investigations in areas which will be flooded by the construction of Government dams; to the Committee on House Administration.

By Mr. EVINS:

H. R. 6621. A bill to provide for the construction of a post office at Watertown, Tenn.; to the Committee on Public Works.

By Mr. REGAN:

H. R. 6622. A bill to provide for the conveyance of a certain housing project in Kermit, Tex., to the Kermit Chamber of Commerce; to the Committee on Public Works.

By Mr. RUSSELL:

H. R. 6623. A bill to stimulate the production and conservation of strategic and critical ores, metals, and minerals and for the establishment within the Department of the Interior of a Mine Incentive Payments Division, and for other purposes; to the Committee on Public Lands.

By Mr. LEA:

H. R. 6624. A bill to provide for the construction, extension, and improvement of school buildings in Hoopa, Calif.; to the Committee on Public Lands.

By Mr. HARDIE SCOTT:

H. R. 6625. A bill to authorize the Housing and Home Finance Administrator to transfer certain war housing projects to the Philadelphia Housing Authority; to the Committee on Public Works.

By Mr. KEOGH:

H. R. 6626. A bill to provide for the conferring of the degree of bachelor of science upon graduates of the United States Merchant Marine Academy; to the Committee on Merchant Marine and Fisheries.

By Mr. GOFF:

H. R. 6627. A bill providing for the suspension of annual assessment work on mining claims held by location in the United States; to the Committee on Public Lands.

By Mr. CLASON:

H. R. 6628. A bill to provide for a program in the field of lighter-than-air aeronautics under the direction of the United States Maritime Commission, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. DINGELL:

H. J. Res. 407. Joint resolution to clarify the application of the existing excise tax imposed on certain fans under section 3406 (a) (3) of the Internal Revenue Code; to the Committee on Ways and Means.

By Mr. JONES of Washington:

H. J. Res. 408. Joint resolution to authorize the cancellation and release of an agreement dated December 31, 1923, entered into between the port of Seattle and the United States of America, represented by the United States Shipping Board acting through the United States Shipping Board Emergency Fleet Corporation; to the Committee on the Judiciary.

By Mr. JUDD:

H. J. Res. 409. Joint resolution providing for membership and participation by the United States in the World Health Organization and authorizing an appropriation therefor; to the Committee on Foreign Affairs.

By Mr. MACK:

H. Con. Res. 203. Concurrent resolution establishing a Joint Committee on the Olympic National Park; to the Committee on Rules.

By Mr. LECOMPTE:

H. Con. Res. 204. Concurrent resolution authorizing the disposal of certain obsolete Government publications now stored in the folding rooms of the Congress; to the Committee on House Administration.

By Mr. HERTER:

H. Res. 601. Resolution to provide for the transfer of the records of the Select Committee on Foreign Aid to the Joint Committee on Foreign Economic Cooperation; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AUGUST H. ANDRESEN:

H. R. 6629. A bill for the relief of William B. Buol; to the Committee on the Judiciary.

By Mr. MONRONEY:

H. R. 6630. A bill to reimburse the James & Phelps Construction Co.; to the Committee on the Judiciary.

By Mr. SPENCE:

H. R. 6631. A bill for the relief of William Luttrell; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1962. By Mr. HART: Petition of the membership of the Medical Society of New Jersey to the Rules Committee of the House of Representatives, to reconsider the report on the World Health Organization of the United Nations; to the Committee on Rules.

1963. By Mr. LEWIS: Petitions of 127 citizens, urging prohibition of the use of grain by the brewers and distillers of the United States; to the Committee on Banking and Currency.

1964. By Mrs. ROGERS of Massachusetts: Petition of the town of Lexington, Mass., asking that our United Nations delegates present or support an amendment of the Charter for the purpose of constituting the United Nations a world government; to the Committee on Foreign Affairs.

1965. By the SPEAKER: Petition of Leo Seren and others, petitioning consideration of their resolution with reference to defeat of legislation titled "The Subversive Activities Control Act"; to the Committee on Un-American Activities.

1966. Also, petition of J. Seabrooks and others, petitioning consideration of their resolution with reference to defeat of legislation titled "The Subversive Activities Control Act"; to the Committee on Un-American Activities.

1967. Also, petition of Mrs. Rosa Martin and others, petitioning consideration of their resolution with reference to endorsement of the Townsend plan, H. R. 16; to the Committee on Ways and Means.

1968. Also, petition of Mrs. William Collins and others, petitioning consideration of their resolution with reference to endorsement of the Townsend plan, H. R. 16; to the Committee on Ways and Means.

1969. Also, petition of H. A. Harber, Miami, Fla., and others, petitioning consideration of their resolution with reference to endorsement of the Townsend plan, H. R. 16; to the Committee on Ways and Means.

1970. Also, petition of Miss Pauline Arnold and others, petitioning consideration of their resolution with reference to defeat of legislation titled "The Subversive Activities Control Act"; to the Committee on Un-American Activities.

1971. Also, petition of Mrs. H. Treckman and others, petitioning consideration of their resolution with reference to defeat of legislation titled "The Subversive Activities Control Act"; to the Committee on Un-American Activities.

1972. Also, petition of Sylma L. Gallant and others, petitioning consideration of their resolution with reference to defeat of legislation titled "The Subversive Activities Control Act"; to the Committee on Un-American Activities.

SENATE

THURSDAY, MAY 20, 1948

The Chaplain, Rev. Peter Marshall, D. D., offered the following prayer:

O Lord our God, while dealing honestly with things as they are, keep alive our hope that things may yet be better than they are. "Earth shall be fair and all her people one: Not till that hour shall God's whole will be done."

Give us faith to believe in the possibility of change, that, each in his own

place, we may do all we can to change from bad to good, and from good to better, until Thou art satisfied with our labors. In the name of Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. WHERRY, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, May 19, 1948, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its reading clerks, informed the Senate that Mr. SNYDER had been appointed a manager on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 2239) to amend section 13 (a) of the Surplus Property Act of 1944, as amended, vice Mr. HARVEY, excused.

The message also informed the Senate that Mr. MANASCO had been appointed a manager on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2277) to amend section 13 of the Surplus Property Act of 1944, as amended, to provide for the disposition of surplus real property to States, political subdivisions, and municipalities for use as public parks, recreational areas, and historic-monument sites, and for other purposes, vice Mr. HOLIFIELD, excused.

The message announced that the House had passed a bill (H. R. 5852) to protect the United States against un-American and subversive activities, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

S. 1525. An act to provide for furnishing transportation for certain Government and other personnel, and for other purposes;

S. 1723. An act to amend the acts authorizing the courses of instruction at the United States Naval Academy and the United States Military Academy to be given to a limited number of persons from the American Republics so as to permit such courses of instruction to be given to Canadians; and

S. 1979. An act authorizing and directing the Fish and Wildlife Service of the Department of the Interior to undertake certain studies of the soft-shell and hard-shell clams.

ORDER FOR CONSIDERATION OF CALENDAR ON MONDAY

Mr. WHERRY. Mr. President, several Senators have inquired when another call of the calendar will be had for the consideration of unobjected-to bills. I ask unanimous consent at this time that when the Senate convenes on Monday next, May 24, it proceed to the call of